

Legislature of Ontario Debates

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Wednesday, December 18, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 18, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Before we get to the orders of the day, I feel I should deal with the matter which was carried over from last night and which I took for further consideration.

In the course of proceedings the member for Port Arthur (Mr. Foulds) suggested that the motion for the House to sit after the normal hour of 10:30 p.m. was in fact out of order; and in so doing he cited several extracts from May dealing with notices and other matters relating to motions.

I point out, however, that our own standing order No. 32, in clauses (a) and (c), sets out very clearly those motions which require notice and those which do not.

The motion under standing order No. 3 to sit past the normal hour is clearly an ancillary motion forming part of the technical procedure of the House which, like motions to adjourn the debate or to adjourn the House, are moved as required, without notice, and do not require unanimous consent. I ruled that last night.

Regarding the second matter we should also deal with, I point out that under standing order No. 15 when a member is called to order by the Chairman or by the Speaker he shall sit down immediately. There was a little bit of confusion on that point last night. When the Chairman called the member to order, I believe, he did not sit down. I wonder if the hon. member would have something to say now.

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, I regret the raucousness and the emotion of the incident last night. I certainly meant no disrespect to the office of the Chair or its authority, although I did feel—and still do—that I had a legitimate procedural point. I would point out to you that I did take my seat once the Chairman decided to refer the matter to you, and I certainly will abide by your decision.

Mr. Speaker: I thank the hon. member and I think that closes the matter.

Mr. L. C. Henderson (Lambton): He never apologized.

Mr. S. Lewis (Scarborough West): Why should he apologize? The Chair has no respect for the House.

Mr. Speaker: Order please.

Mr. A. J. Roy (Ottawa East): Mr. Speaker, I would like to stand on a point of order and say to you, Mr. Speaker, that I understand from the House leader there will be no question period.

I would suggest to you, Mr. Speaker, that before we can change such a fundamental rule of the House as not having a question period, that it should be decided either by unanimous consent of the House, or by having a vote in this House. I, for one, object to doing away with the question period. I understand, Mr. Speaker, that the reason for not having a question period is the unavailability of ministers—and I see enough ministers here—

An hon. member: More than ever before.

Mr. Roy: There are more than ever. I would think, Mr. Speaker, that we should have the question period. We have wasted all this session, Mr. Speaker, and we are trying to save 45 minutes.

Hon. G. A. Kerr (Solicitor General): The member is wasting time now.

Mr. I. Deans (Wentworth): Mr. Speaker, if I may speak to the point of order. I, together with the Liberal House leader and the government House leader, agreed that we would proceed today at 2 o'clock without a question period. I agreed that it would be nice to have one, but we did agree not to, and we are quite prepared to abide by the commitment that we made.

Hon. J. R. Rhodes (Minister of Transportation and Communications): The member for Ottawa East should check with his House leader.

Mr. Speaker: Order, please; if I might just clarify that. This was the understanding last evening and there was no objection raised at the time; so to me that is unanimous consent. This was the order agreed to by the three House leaders.

Mr. Roy: Mr. Speaker, on a point of order.

Mr. M. Cassidy (Ottawa Centre): See if the Chairman of the Management Board can set us off again.

Mr. Roy: Mr. Speaker, you said it was by unanimous consent. I would point out to you, Mr. Speaker, that when the House leader announced that there would be no question period, some of us here objected to it. It is on the record that we objected to it and there was not unanimous consent. I would suggest—

Mr. W. Ferrier (Cochrane South): They are going to have a new House leader over there.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, of course the best judge of the situation is yourself.

Mr. Speaker: Thank you.

Mr. Roy: Why don't they give us a question period? They have got enough ministers. Mr. Speaker, is it your ruling there was unanimous consent? There was not.

Mr. Speaker: Order please. It was agreed, yes; and no one rose to object to it at the time.

Mr. Lewis: No, there was no unanimous consent last night. There was an agreement. There was no unanimous consent.

Mr. Roy: I did object—

Mr. Speaker: Shall we say "it carries," if we don't like the words "unanimous consent." No one rose to object to it at the time. Thank you.

Mr. J. E. Stokes (Thunder Bay): The member for Ottawa East should talk to his House leader.

Interjections by hon. members.

Mr. Roy: They've got enough ministers there. What are they hiding from?

Mr. Speaker: Order, please. For the sake of the orderly business of the House, we should proceed as agreed upon.

Orders of the day.

Clerk of the House: Order for committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF HOUSING
(concluded)

On vote 804:

Mr. Chairman: The hon. member for Downsview.

Mr. A. J. Roy (Ottawa East): Are you prepared to answer my question, Mr. Chairman?

Mr. V. M. Singer (Downsview): I want to speak on item 3.

Mr. Chairman: Order please. The hon. member for Downsview has the floor. We are on vote 804, item 2.

Mr. Singer: Mr. Chairman, I spoke on item 2 yesterday, and I may want to reply again. The minister wants to speak.

Hon. D. R. Irvine (Minister for Housing): Point of order, Mr. Chairman. I wish to reply to the member for Ottawa Centre (Mr. Cassidy) in regard to the question he raised around 6 o'clock, if it would be in order at this time. I think I should clarify the question which he asked me.

Mr. Chairman: The Chair will recognize the minister to answer the question.

Hon. Mr. Irvine: Thank you. Mr. Chairman, the hon. member asked me around 6 o'clock yesterday, if I remember correctly, that he wished to be informed as to the number of acres which were under the control of the government, by expropriation or otherwise, in the North Pickering area.

I wish to say today that the government on March 2, 1972 originally announced that they were going to acquire 25,000 acres in that particular area. On Jan. 10, 1974, the then Minister of Housing, the present Attorney General (Mr. Welch), announced that there would be 17,000 acres acquired in the inner part for planning purposes and an open area of 8,000 acres for the outer circle.

Since then we have acquired 16,813 acres up to the end of September, 1974 in the inner planning area. We have an open space area of approximately 2,750 acres acquired by negotiations or, I should say, by mutual agreement in any event. We may acquire further acreage in the open space if the owners are willing to sell, because there was an undertaking to the owners at the original time whereby the government had announced that they may acquire 8,000 acres. We may acquire some further acreage in the open space.

I believe, Mr. Chairman, that is all that is necessary at this time, unless the hon. member for Ottawa Centre wishes further clarification as to the acreages which we have and which we intend to acquire.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Is my understanding correct that the $215 million total which we're talking about has been spent to acquire just under 17,000 acres plus the 3,000 acres in this outside ring?

Hon. Mr. Irvine: No.

Mr. Cassidy: Then we're still a bit unclear about the total cost and what you get in terms of acreage for that total cost.

Hon. Mr. Irvine: Mr. Chairman, we didn't mention $200-and-some million yesterday that I know of, but somebody else may have. I didn't. I indicated that the total cost up to date was $170 million with other funds yet to be expended, which I wouldn't know until such time as negotiations are completed, in the open space area. The correct figure is $170 million within a few dollars.

Mr. Cassidy: Okay, then. Mr. Chairman, what does the minister hope to get for the $45 million which is now being requested? Is that money still for land acquisition?

If so, does that relate to the remainder of the outside ring which is yet to be acquired or to some other land that we're not aware of?

Hon. Mr. Irvine: Mr. Chairman, it's divided between two parts. We had originally in our budget $7 million because we felt, as I said yesterday, we would get federal funds on a 90-10 basis. We have not received any federal funding to this date. The $45 million is to supplement the consolidated revenue fund, whereby we have acquired some funds from that fund for the lands that we have acquired. We will need additional funds which we anticipate to be somewhere up to the $45 million. That's what the supplementary estimates are about.

In any event, there will no doubt be some other land acquisitions which will have to be in the fiscal year of 1975-1976 in regard to the total cost.

Mr. Cassidy: Mr. Chairman, I am sorry to belabour this with the House, but my understanding is that in fact that at the end of September the minister had acquired 17,000 acres, but that he had spent $170 million that had been committed in estimates up until that time, plus an additional sum.

I don't know what the $45 million is for. However I cut it, I come up with a figure of about 20,000 acres costing around $200 million. Maybe it's fair to talk in those terms, since we can't get detailed or precise figures from the minister. If that's the case, Mr. Chairman, then we're talking about an average cost of about $10,000 an acre or three times what was originally estimated at the time that the project was announced in March, 1972 by the then Treasurer (Mr. McKeough).

It's worth asking as well what now are the population projections for the North Pickering town site? How many people do you expect it will ultimately have?

Hon. Mr. Irvine: Mr. Chairman, I can, at this time, give you the exact figures as of Sept. 30, 1974, if the hon. member wishes. In 1972-1973 we spent $30.4 million; in 1973-1974, $116 million; in 1974-1975 up to Sept. 30, $19,650,000 for a total of $166,050,000. As I said, my $170 million was approximate because that is as of Sept. 30. Those are the latest figures I have. If we go in now to the matter of population, having settled, I think the fact that we do know exactly how much—

Mr. Cassidy: You haven't explained why you need the extra $45 million, why you require the funds and the land you want for the money.

Hon. Mr. Irvine: Yes. We needed the funds because we had, in our initial budget, which is in the member's hands, allowed only $7 million for acquisition purposes. We have acquired much more than that, as far as dollars are concerned.

The $7 million was there as we felt we would have federal funding, as I said before. So we have to have supplementary estimates to make allowance for the fact that we have not to this date, nor do we expect to have in the near future, federal allocation for the funds under the 90-10 percentage basis.

The population that we are talking about at this particular time, or expecting in the next few years, is somewhere in the figure of 70,000 to 85,000 or 90,000 people, depending upon the acceptance of the plan which will be submitted by the development corporation and approved at some stage or other by all the regional municipalities, area municipalities, and the people in the area, as I said yesterday.

The maximum number of people will not be determined until many years later. It is going to take some while for this particular area to be at its ultimate level of growth. I would guess that it would probably take at least 20

to 25 years before the total population will be there.

Originally the government, I believe, had felt we could accommodate somewhere around 200,000 people, in the final analysis of what the townsites should be in regard to population. However, we must recognize that no townsite is built overnight, and it will take many years before that goal is reached, if ever. But certainly I think that we will start off with a projected population within the next 10 years of, as I said, somewhere in the neighbourhood of 75,000 people. That depends upon the acceptance of the plan.

Mr. Cassidy: If I might comment on this, Mr. Chairman, I just wish that the government would decide which figure it wants to choose. The minister dances around between the two. He says that on one hand the population of the area is going to be between 70,000 and 90,000 people, in which case the land acquired for Pickering at $200 million is devilishly expensive. No matter how you look at it, it is extraordinarily expensive to have a raw land cost of the order of about $5,000 or $6,000 or more per family before you even begin to put in services and do the other things that need to be done in that particular area.

On the other hand, he says that the ultimate population might go up to 200,000, and that's confirmed by the central York servicing plan—I have the map here—which says specifically that the North Pickering community is slated to have a population of 200,000 people, which is the figure that the minister has just given us, too. I grant that this central York scheme—the document I have here—is dated 1972. I didn't realize it was that old, but the minister should be very clear and I think the people in the area should be very clear: Are you going to service for 200,000 but then guarantee absolutely that you won't put more than 100,00 people in there? Because in that case you are needlessly spending money on servicing that could be going into other parts of the province.

On the other hand, if you intend to service because you expect that by the turn of the century the area is going to accommodate 200,000, then I think you should frankly say so, but perhaps say to the people that for the next 10 years you will respect certain growth limits in order that the community not grow too fast.

We don't know what you are doing and we believe that you should be much clearer about it than you are right now. We feel, as well, that the whole experience of North Pickering, where you began to acquire land at $3,000 an acre with a 90 per cent contribution from the federal government—that was the plan—and you are now acquiring land at $10,000 an acre without federal participation, and for some reason can't get that particular act together, is really a sign of the problems created by the lack of commitment of this government to land acquisition and the problems created—

Mr. D. M. Deacon (York Centre): That shows how bad the scheme was.

Mr. Cassidy: —by not having, if you will, proper legislation in order that you could have gone in in March of 1972 and said, "Having made a decision, we will acquire the land," at the then prevailing prices. You have been held to ransom by landholders, and for the most part, I am afraid, those landholders have been speculators from the big city—not legitimate long-time residents of that area.

Hon. Mr. Irvine: Mr. Chairman, that's a very interesting statement the member has made. I would be interested to know what his views would be in regard to the actual development. Would he then be in agreement that we should proceed with the plan to develop the area for 200,000 people because of the actual investment in lands and servicing? Would the member mind giving me the benefit of his views?

Mr. Cassidy: The stock answer is to say that you are the government and you tell me what you are going to do. I'll tell you what we would do, Mr. Chairman; and I think I can confront this.

In order to accommodate a certain amount of growth around Metro Toronto, some areas have got to be designated. Therefore, it is quite possible that an NDP government would have to say that certain areas, three or four areas, would be growing to a higher level. But we would do that in the context of a plan that was taking growth away from Metro Toronto.

The reason that people are so concerned about what this government is doing is that the government is telling them that Pickering is going to grow to 200,000 people in addition to all of the other sprawl and growth that is going to slurp and slurp its way into the eastern fringes of Metro Toronto. That is why they're appalled.

If they were told that North Pickering was going to go to 200,000 in phases over the next 40 years as part of a planned containment of growth within the Metro Toronto area, but that in the meantime the govern-

ment would be doing everything in its power to shift growth to the east—to the minister's area, to my area, to other parts of eastern Ontario and to the north of the province—then I think the people would understand an awful lot better.

Yes, we would make a clear statement. I haven't been very clear because I haven't got all the planning tools that the minister has over there in terms of people—but he doesn't know how to use them.

Hon. Mr. Irvine: Mr. Chairman, I would never admit that. I think we do know how to use the planning tools that we have available. But it's very good to hear the member state so positively that with growth needed in other areas, and with growth being recognized in this area, that we shouldn't stop at 75,000 people, that the area should have a larger population than that. I agree with the member that this may come about, but first of all I want to put on the record that we are—

Mr. Cassidy: I made a fairly clear statement. The minister should make one too now. Are you going to put it up to the 200,000?

Hon. Mr. Irvine: I want to put it on the record very clearly that although the NDP may wish to proceed on the basis of 200,000 people immediately, I don't wish to proceed in that manner. I wish to say that we will proceed with a population figure of somewhere around 75,000, which in the long run—

Mr. S. Lewis (Scarborough West): That's simply dishonest.

Hon. Mr. Irvine: Well, the leader of the NDP can express his views. Why does he say it's dishonest?

Mr. Lewis: With respect, Mr. Chairman, just continuing the argument, it is patently dishonest. The minister may wish to use a figure of 70,000 to 90,000, but the trunk plan tabled by the Ministry of the Environment, on which the government is spending $200 million, clearly demonstrates a population by 1995 of something between 883,000 and 1.3 million; it is inconceivable that it will be less in terms of the population and housing using the services provided by that trunk. The figures that it has been indicated we will reach are two and three times the original estimates in the Toronto-centred region plan, and given the growth pressures being premeditatedly created by this madness of the trunk line that the government is building, to pretend that the community of North Pickering will only be 70,000 to 90,000 is to be frankly dishonest.

I don't mean that the minister is misleading the House deliberately or anything else. I mean he is pretending population figures which will be tripled by the pressures that the government has created, and he is doing it in wanton irresponsibility because, as my colleague from Ottawa Centre points out, it's part of no plan for the area around Metropolitan Toronto—none at all.

Mr. Deacon: Except the big sewer. That's the only plan.

Mr. Lewis: Except for the trunk sewer; except for the pipe. While I concur in what my colleague said about the way the government is ordering growth, the reality is that one of the places it doesn't order growth is capriciously and unpredictably in the northeast corner of Metropolitan Toronto, in conjunction with Malvern, the airport and North Pickering.

Why is the government destroying that part of Metropolitan Toronto? That's precisely the place where you don't unleash another 200,000 people.

Mr. Chairman, I don't have the material in front of me. I had intended to have references to the sewer pipe planning, that my friend from York Centre says you've introduced in Ontario.

Mrs. M. Campbell (St. George): Be careful when you say that.

Mr. Deacon: It is the basic structure on which the province plans.

Mr. Lewis: As a matter of fact, we all laugh about it—that we are the only jurisdiction in Canada, I venture to guess, that plans population, location of industry, housing and growth on the basis of sewer capacity. Now you tell me another jurisdiction in this country that decides on sewer capacity first and then uses that as a determinate of growth. Do you think that's intelligent economic planning?

Mr. Roy: That's what the Treasurer (Mr. White) says.

Mr. Lewis: I tell you that is so silly it is almost impossible it should occur. The Treasurer talked about the pipe.

Mr. Roy: The size.

Mr. Lewis: The size of the pipe.

Mr. Roy: He said the population will be—

Mr. Lewis: I don't know what this affection for sewers is. I don't know what compels you, but that's what you are doing on the $200 million. I had intended, Mr. Chairman, to deal with the documents of the Minister of the Environment (Mr. W. Newman) during the environmental estimates. I don't have the material immediately in front of me and I don't want to prolong these estimates. But let me very quickly, as I recall, lay it out for you.

When the Toronto-centred region plan came in there was one population estimate. There was then a 1972 Ministry of the Environment document three to four years later setting out the trunk as it was then predicted. There is then a 1974 document which the Ministry of the Environment tabled.

The difference in the documents between 1972 and 1974 is indicated in that table which talks about the daily flow capacity and which dictates population growth. In the jump between 1972 to 1974, what none of the planners picked up when they looked at the document was that the change in daily flow was mistabulated, misestimated, so that, in fact, you are building to a population of 880,000 to 1.3 million over the next 25 years. When you do that you predetermine that North Pickering's population must be a quarter of a million people. You are going to clobber intelligent economic growth in the eastern part of Metropolitan Toronto as a result, all of the wishes of the local citizenry notwithstanding. I heard you introduce the little bill on the North Pickering community yesterday on my speaker. This is yet another planning group to plan a community towards which the local citizenry have had little contribution to make, that is seriously listened to. All of this is going out the window. You are destroying it completely by your sewer projections.

With great respect, Mr. Minister, I know what you say to me. You say to me honourably, and I don't doubt it for a moment, when you say 70,000 to 90,000—that those are the figures you would wish to see.

They are nonsense. It can't be contained at that level. You have unleashed forces which are no longer controllable. Sensing others who want to jump in, let me subside by telling you that that's really a dreadful mistake. That's a dreadful mistake. You've just clobbered the Toronto-centred region plan; you really have.

We didn't like that plan much to begin with because it posited too many people, eight million people by the year 2000, in the Toronto-centred region. Even those predictions are now going out the window, because with this sewer planning of yours, you are destroying orderly economic growth in the south part of Ontario. You are building wall-to-wall communities from north Metro through to Simcoe. It will cover all Pickering township and everything right through to Oshawa. It is being done without thought, without rationale, without any order at all.

The provincial Treasurer some weeks ago said that he would have a provincial plan for Ontario. It would probably come in in December. Where is it? Do you realize that he commissioned a plan for Ontario eight months ago, exasperated and embarrassed by the hodge-podge of individual plans? He admitted that in the Legislature. We still don't have a provincial plan for this province. Yet we are building mechanisms which will inundate Metropolitan Toronto with yet further population and distort the whole region, and we have no sense of the relationship to eastern Ontario or to northern Ontario.

There is about it such intense irresponsibility that it can't really be conveyed. You're kind of frantically trying to set up a corporation here to control North Pickering and a corporation there to buy land and none of it is integrated with any overall planning at all. And every time you turn around your own intentions are scuppered by the activities of a fellow minister. That's what the Minister of the Environment did when he stood proudly one day and said the government was building this $200 million sewer pipe for 170,000 households and maybe 400,000 to 500,000 people, and never realized that what he was talking about was 800,000 to 1.3 million people and that he had in one stroke destroyed rational planning around Metropolitan Toronto.

You talk of 70,000 to 90,000—it is to laugh. Not a single prediction hitherto has been right; nor is this one. That's why we disagree.

Mr. Roy: Maybe you want to use the sewer as a subway.

Hon. Mr. Irvine: Many of the things you have said are not entirely in their correct relation to what I was referring to and what I did say to your colleague. I asked him what his party would do, or what he would do, in regard to the overall plan for North Pickering. Would he have 200,000 people there immediately, because of the cost? Or would he try to respond to the people? Well, the answer I thought I received from him was that 200,000 was the figure we should have. I said we are going to plan—and this is what I want to say to you—now for a population of 75,000 to

90,000 people in the immediate future—that it, within 10 years.

Ultimately, there are going to be more than that, I wouldn't doubt. But at least we go through the Planning Act. Apparently you didn't hear when you were listening to the loudspeaker system when I introduced my bill, but I said the development corporation would be acting under the Planning Act, which means that the plan for the development in North Pickering will have every input possible. We have had all kinds of local participation with the North Pickering staff up to this date. When we implement the development corporation they will then present a plan for public participation again.

Mr. Lewis: What public participation?

Hon. Mr. Irvine: How much more participation can you have than through the Planning Act itself?

Mr. Lewis: What public participation?

Hon. Mr. Irvine: Are you saying to me that we should not get the plan through the Planning Act, but that we should immediately go out and develop the area for 200,000 people? Is this what you are saying?

Mr. Lewis: No, I am saying there was no consultation.

I have in front of me a letter from a former federal Tory candidacy contestant—less than a year ago—who has already joined the New Democratic Party in disgust with what has happened to you in North Pickering.

Hon. Mr. Irvine: He must be out of his mind.

Mr. Lewis: It is interesting you would always make the sexist assumption that he must be out of his mind. Only by Tories would it be assumed that a candidate has to be a male.

Mr. Roy: We want it on the record that he is still out of his mind. Always out of his mind.

Mr. Lewis: I'm not differing with you about that possible irrationality. Maybe you are right—maybe only males are capable of—

Interjection by an hon. member.

Mr. Lewis: All right, I'm just telling you that there has never been—

Hon. W. Newman (Minister of the Environment): Tell us who it is.

Mr. Lewis: And you! You had to excise—Mr. Chairman, although it might be premature, I want to point out that in order to save his seat, the Minister of the Environment had to excise the airport and North Pickering from the re-redistribution, knowing what would happen to you, given the community. Now, it wasn't a personal gerrymander—you had others to handle it for you, but—

Mr. Roy: You are afraid of our candidate.

Hon. W. Newman: On a point of personal privilege—

Mr. Lewis: On a point of privilege! I retire.

Hon. W. Newman: I am not afraid to run anywhere, but if anybody suggests that I do something to get out of doing something when there is an independent commission which did that work, then you had better retract that statement and not say that I had any influence in trying to do it.

Mr. Lewis: Oh, perish the thought that you had influence. It's the convenience I was talking about rather than the influence.

Mr. Roy: Is the minister afraid of our man? Is that why you are backing off?

Mr. Chairman: Order, please. Will the hon. member return to the estimates?

Mr. Lewis: Yes.

Hon. Mr. Irvine: Mr. Chairman, in order that I might answer—

Mr. Roy: Yes, don't spoil the fun.

Mr. Lewis: We will beat both of them in that riding, Mr. Chairman—I'm not concerned about that.

Mr. R. F. Ruston (Essex-Kent): Don't count on that.

An hon. member: Oh ho ho!

Mr. Lewis: Would you like to wager on it?

An hon. member: Yes.

Mr. Roy: On what?

Mr. Lewis: Okay, after this. All right, may I come back to this matter?

Mr. Roy: You are reading subsection 4.

Mr. Lewis: There never was any serious planning in North Pickering. That's why the community is so incensed, and I think you understand that. You know that People or Planes group in the North Pickering community are bitterly antagonistic to the gov-

ernment because of the way the project has been handled.

Interjections by hon. members.

Mr. Lewis: And now to pull it all within the Planning Act to give it a rationale isn't going to result in better planning for North Pickering. It just means that the arbitrariness of your approach is complete. Local consultation hasn't meant a thing in North Pickering.

Hon. Mr. Irvine: It has.

Mr. Lewis: Don't ask me, ask your Conservative friends who have turned against you en masse. I presume the member for York Centre can add to that from personal experience.

Hon. Mr. Irvine: Mr. Chairman, let me finish my reply to the leader of the NDP.

Mr. E. Sargent (Grey-Bruce): Make it perfectly clear.

Hon. Mr. Irvine: I would like to, if I can, make it perfectly clear. As far as I am concerned, we have had as much public participation as possible in the North Pickering area. We will never receive unanimous consent for any plan. We have already three conceptual plans presented to the people in the area. Now we are going forth with a plan for the areas surrounding the people. It could be accepted or amended, as they see fit.

Mr. Deacon: What is the point of it? You don't listen to people.

Hon. Mr. Irvine: I don't see how we can do anything more for the people who are going to be affected living in that area other than to do it under the Planning Act. If you would suggest to me that we should proceed forthwith—

Mr. Lewis: No.

Hon. Mr. Irvine: You are not suggesting that?

Mr. Lewis: No, I am not.

Hon. Mr. Irvine: Then I want to get your position on the line. Are you saying that we should proceed with a plan for 200,000 people then?

Mr. Lewis: I am saying that you should dismantle the whole North Pickering plan; that it makes no sense at all; that it is destroying growth in southern Ontario.

Mr. Deacon: It's an insane scheme.

Mr. Lewis: When we talk about growth around Metropolitan Toronto, there have to be better ways of approaching it than expropriating land in an area—good farmland, by the way—just because the federal government and the provincial government have entered into some senseless little cabal or arrangement to build an airport.

Mr. Deacon: They want to help their friends.

Mr. Lewis: That's no way to plan a community in anticipation of an airport. The whole thing should go out the window; the airport, the community—it's all crazy.

Mr. Sargent: Right.

Mr. Lewis: And you would start again further from Metro, let me say; not as an extension of Scarborough, but rather further from Metro. That's what orderly growth means. You don't make it a natural extension of a metropolis already choking on its own population, industry, pollution and everything else.

Mr. Sargent: You've got too many egg-heads running the show.

Hon. Mr. Irvine: Mr. Chairman, to go back to the point of planning. The leader of the NDP has repeatedly said we haven't got a plan. I think we've got a plan which is going to be very effective. We are installing, quite true, sewers and water for future growth in the—

Mr. Sargent: What are you going to use for money from now on?

Hon. Mr. Irvine: —regions of York—

Mr. Sargent: There is $170 million in there now.

Hon. Mr. Irvine: —and in Durham. Now, if we were to put pipes in that were too small, I would think that would be a very bad mistake on the part of this government. I think we should plan for growth. And we have a plan—

Mr. Lewis: Oh, there you are; there it is.

Hon. Mr. Irvine: —for growth in northern Ontario—

Mr. J. F. Foulds (Port Arthur): Not controlled growth. Not decentralized growth.

Hon. Mr. Irvine: —we have a plan for growth in eastern Ontario; we have a plan for dispersed growth outside of Metro Toronto. This government has a very definite

plan in regards to how we should proceed with the allocation of population in the future years. What I was trying to determine—

Mr. Cassidy: Where is that plan after 30 years?

Hon. Mr. Irvine: The plan will be announced in due course by the Treasurer.

Mr. Lewis: Oh, thank you very much.

Hon. Mr. Irvine: And when it is announced, you'll understand—

Mr. Lewis: What are you talking about—it will be introduced in due course?

Hon. Mr. Irvine: When it is announced you'll understand that this government has been giving very serious consideration to the fact that we do have—

Mr. Lewis: But how do you make these arbitrary decisions without letting the people see your plans?

Mrs. Campbell: The ones to be announced shortly.

Mr. Lewis: How do you make plans without public consultation?

Hon. Mr. Irvine: We happen to be a government that rules on behalf of the people—

Some hon. members: Oh!

An hon. member: Rule—a very good word!

Mr. Lewis: Oh really; on behalf of the people!

Interjections by hon. members.

Hon. Mr. Irvine: The NDP doesn't have the same philosophy. The NDP wants to take—

Mr. Lewis: So it cannot consult. A government that rules on behalf of the people doesn't consult people.

Mr. Chairman: Order please.

Hon. Mr. Irvine: It's a government that acts on behalf of the people. Would you like that better? Is that a better word?

Interjections by hon. members.

Hon. Mr. Irvine: But the people have voted the Conservative government in because they know they can rely on the government, and they know they can't rely on the NDP philosophy.

Now I want to—

Interjections by hon. members.

Mr. Cassidy: Marie Antoinette used to rule on behalf of the people, too. She said, "Let them eat cake."

Hon. Mr. Irvine: Mr. Chairman, I want to make awfully sure the NDP understand that the reason we have provided for servicing is the very simple fact that there will be growth in those areas. There's no doubt, and I am not misleading the leader of the NDP, when I say we are planning now for 75,000 people in the immediate future; I am not misleading him. I am saying that is what we are planning for, and then if it's necessary to expand, which you seem to think it will be, and possibly this will happen, I am saying that then we will do it on the same basis whereby we will consult with the people.

Mr. Lewis: You are determining growth, but why do you want that growth there? What do you need it for? Why not have it, say in Oshawa

Hon. Mr. Irvine: Mr. Chairman, it would appear to me that the NDP feel there is no future whatsoever for the people in this area, in Metropolitan Toronto or the surrounding area. I think there's a great future for them. I think we should provide services for the people in this area and for those who wish to come into this area.

We have said as a government, and I am saying as the minister, that we will provide housing in other areas of Ontario though, to offset the fact that we must have population in other areas besides Metro Toronto and surrounding Toronto.

Mr. Lewis: But your big money is invested here.

Mrs. Campbell: That's right.

Hon. Mr. Irvine: So far we have expended—

Mr. Lewis: You can't get sewer pipe in Ear Falls for a housing project.

Hon. Mr. Irvine: So far we have expended or will expend quite a bit of money as far as servicing is concerned, but I think it's money well spent. The lands in question will be developed, to some extent residential-wise—

Mr. Cassidy: You spend $400 million around Metro.

Hon. Mr. Irvine: —and some industrial, but there will also be agricultural lands pre-

served. Now there is nothing wrong, as far as I am concerned, in having a real good planned development of this area.

Mr. Lewis: Fair enough.

Hon. Mr. Irvine: And that's exactly what we are going to do.

Mr. Lewis: Where is the plan?

Mr. Cassidy: Where is the plan?

Hon. Mr. Irvine: The plan will come about in the new year, when we have the development corporation formed, and the plan will be put before—

Mr. Lewis: You mean you put a sewer pipe in to locate a million people and then you formulate a plan? Come on now, you don't believe that yourself.

Hon. Mr. Irvine: Just sit down please; sit down for a minute please.

The plan will be put before the people to decide as to how much growth they want and where they want the growth.

Mr. Lewis: What decision? You have dictated it.

Hon. Mr. Irvine: No we haven't.

Mr. Lewis: Of course you have. You are already dictating it.

Hon. Mr. Irvine: No we haven't. Look, you may say what you wish. I am saying we haven't dictated where the growth will be or how much the growth will be. I am saying that we are anticipating where the growth will be.

Mr. Lewis: You certainly are; and to anticipate is to create when you are talking about population.

Hon. Mr. Irvine: When we have the final plan approved, then of course we will determine what the population is.

Mr. Lewis: You are very anti-Metro, anti-east and anti-north; you are a very anti-person.

Hon. Mr. Irvine: As a matter of fact I am not anti-anything. I am going to make sure there is a plan for development for all of Ontario as part of this government's programme, and the government will be announcing a plan that I think will meet with the approval of all of the people of Ontario. Maybe it won't meet with your approval, but that's something which we have to wait and see.

However, Mr. Chairman, if we go back to the original proposal that we should proceed, possibly with a definite figure, say a population figure of 200,000 at this time, I think that's the wrong way to start. We should start with a plan which will come out with a much lesser population, which will meet with the approval of the people, and then we will have the people in the area decide later as to whether 200,000 or 250,000 or 175,00 is the acceptable level.

Mr. Cassidy: That is not fair, you know. You can't do it that way.

Hon. Mr. Irvine: Well, maybe we can't do it that way as far as you are concerned—

Mr. Lewis: No, but you can't. It is not sane, it is not rational.

Hon. Mr. Irvine: —but I am saying we are going to do it that way, because this is what the people wish to have happen.

Mr. Lewis: The people wish no growth at all in Pickering, that is what they wish.

Hon. Mr. Irvine: As long as we can make sure that the people of Ontario fully understand what this plan is and fully agree with it, then I think we have done what we should do as a government; and we are going to do that.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, the sad thing is that this whole mess started back about nine years ago when for some reason or another this government decided the only solution to treating sewage, and we come back to sewage again, was to have no more upstream plants. Instead of adopting a programme of finding and developing new technology to deal with the problem of pollution from our wastes, this government decided instead it would tie itself to a very rigid, expensive programme which would enforce and require high density development around Toronto; and basically this whole big York trunk sewer and the high density of population this is going to impose on us, is because that darned Ontario Water Resources Commission, and the government that was listening to it, wouldn't look to newer methods and more sensible approaches to this problem. Basically this government wouldn't say, "We will not accept that sort of approach to dealing with our waste because we realize that will trap us."

When we have the situation, which we now have in York and which we are going

to have in North Pickering, of $170 million going into sewer and water lines, we are trapped by that investment and by the investment we have made in this North Pickering project. Until we change that basic policy, until we recognize there is technology available which will enable us to stage our programmes of development and to develop projects well to the east of Toronto, well away from this hyped-up, souped-up economy we have here, we're going to have a problem in the future.

I don't want to talk too much more about that because it can be discussed later when we are dealing with the supplementary estimates of the Ministry of the Environment. But I do want to come back to one point about this area which I think the minister was wise at least to announce; that is, that there is to be some permanent greenbelt around the North Pickering project. When the government takes over in 1975, I hope that the entire area, except for about 1,000 acres in the gravel area in the southeast corner, eventually is going to be greenbelt.

We don't want to destroy the very fine agricultural land in North Pickering. In relation to the 8,000 acres, I wonder if the minister will consider one approach that I think is essential; that is, that he sell back that land, minus the development rights, to the farmers in that area. In that way it could only be used for farming and for housing farmers who live on and are using that land; there would be no right to develop the land other than for agricultural purposes because the government would hang on to the other rights.

This approach is being used by the State of New Jersey. It means that people can again have some pride of ownership or become interested in the farm buildings, the fences and all the other things that are so essential, in addition to good cropping, to the maintenance of property. It is well known that tenants, especially who have the prospect of a very short lease, are not going to take the interest in the maintenance of that area that they would if they owned it. There's no reason why they shouldn't own it if, in fact, they have no prospect of being able to develop on it and it's going to continually be in use for agricultural purposes.

I would ask the minister to consider selling those lands, minus development rights, to these people purely for the agricultural value. Would he comment on that approach and that 8,000 acres?

Hon. Mr. Irvine: I will consider the proposal, Mr. Chairman. I believe that within the last couple of days I received a copy of the specific proposal the hon. member is talking about. In any event, Mr. Chairman, could I ask the hon. member to clarify whether he's saying there should be no growth in the region of York? Is that what he was saying?

Mr. Deacon: I think that any growth in the region of York should occur in areas where the land is not good agricultural land. There is plenty of land in York that comes within that category. This will require arrangements and provision for sewage and waste disposal other than the normal big trunk collector sewer approach that this government has been taking. It will mean utilizing the wastes so that in effect they are recycled. There are plenty of projects that the minister can be shown that demonstrate that it's not necessary for us to confine ourselves to this concentrated approach to development.

In York or in any other part of this province, I think we should be confining our development to areas where we're not destroying the class 1 and class 2 agricultural land, which makes up a very small percentage of our land mass in this province and unfortunately is decreasing very rapidly every day.

I'm saying to the minister that we should give ourselves more flexibility by not tying ourselves to the present approach of a great big sewer project. The last point I was making to the minister was, let's get that land that he is going to keep as greenbelt back into ownership, so that people have some pride and a long-term interest in its improvement and are not just there with a feeling of no sense of permanence, and no sense of pride, which they can't have unless they do know it is theirs.

Hon. Mr. Irvine: Mr. Chairman, I want to pursue this a bit further. On the matter of the extension of the sewer and water facilities which we have talked about relating to the allocation of population in the region of York and Durham and whatever area it may affect, I would like to find out from the hon. member if he is actually saying that he would go against the wishes of some municipalities that want to grow and want to expand in the two regions that I am talking about. Is that what the member is saying?

Mr. Deacon: If their expansion plans include using up our good agricultural lands, if their expansion plans mean a continuous urban sprawl, I am opposed to that. I am opposed to it, though, not by saying you can't do it here, but by providing an alternative, by providing the facilities, the services, the transportation access and the incentives to

municipalities to develop in areas where we are not destroying first-grade agricultural land and where, in fact, we are giving a thrust to growth away from Toronto and not around Toronto. This idea that we now are tied to, if we go ahead with this York scheme, if we go ahead with this concept of a four, five or six million population for this area, is surely going to destroy it in the end, destroy the whole fine city we now have. I am certainly opposed to that.

Hon. Mr. Irvine: Mr. Chairman, we go back then to the very obvious fact that the area surrounding Metro Toronto will have growth pressures and we have to plan for those growth pressures.

Mr. Deacon: Right.

Hon. Mr. Irvine: We are doing that. When the hon. member says we should go against the wishes of the municipalities that wish to expand, I can't agree with him on that. I can agree that we shouldn't build on class 1 and class 2 lands, if we have other lands available. I can agree on that certainly. We have to make sure we have those lands available in the areas where there are growth pressures. Sometimes there is only that type of soil to build on.

Mr. Deacon: You have it; you have plenty of it.

Hon. Mr. Irvine: I do want to determine what the Liberal Party—

Mr. Cassidy: It depends on your priorities.

Hon. Mr. Irvine: —has as an alternative to the plan which we propose for North Pickering and to the plan which we have said we would provide for future population growth in the region of York and in Durham. What does the Liberal Party, or what does the hon. member suggest that I, as the minister, can bring into effect in regard to the population growth in the next 10 years or 20 years for Metro Toronto and for the region of Durham and for the region of York or for any other region, as far as that is concerned? I want specifically to have the member relate to me what he would propose that we should do.

Mr. Deacon: Without taking up the time of the House in doing it, I will give him the booklet that I prepared at the time of one of the meetings of his predecessors out in our area as to what I would do specifically. There are literally at least 40 or 50 communities within 50 or 60 miles of Toronto which are centred in areas where there is not prime agricultural land, where we could be putting in services, where we could be putting in transportation access, and where we could be giving financial incentives to municipalities to develop.

We know very well from our experience in other areas that we can have a tremendous amount of growth take place in an existing community and not destroy the community. We have seen it in my own particular hamlet of Unionville whose population was 400 and is now 4,000, but unfortunately that happened to be prime agricultural land. It isn't necessary to restrict ourselves to prime agricultural land, unless we follow the present government's route of using the York trunk sewer design. That happens to be going through some of the best land we have got in Ontario.

What I'm saying to the minister—I'll give him a copy of the booklet—is that there's a lot of other land available, and if we don't confine ourselves to this concept of planning by sewer then we can take advantage of it. I would certainly urge the minister, in his future North Pickering plans, to go easy on the development, take it into a corner where he is not using the best land and go to the areas in the north and the east where there are other lands—and he will be able to see plenty on his land maps—which are not good land and can have good access easily constructed to them or made available to them so that they can be very viable and strong communities.

Hon. Mr. Irvine: Mr. Chairman, I won't delay this too much longer, but I do want to come back to one point. There is no doubt whatsoever that we will be considering very fully where the development in North Pickering will be. It no doubt will end up in the land which the member is talking about—the lands which are not class 1 and 2. I would hope so.

Mr. Deacon: I hope so, too.

Hon. Mr. Irvine: But that will be determined by the plan and by the people who are, in the long run, going to be the ones who approve of the plan.

Would the hon. member give me the benefit of his views in regard to those municipalities that do not wish to have growth but have lands that are not class 1 and class 2? Would he tell me if his party would insist, by legislation, that these municipalities must have residential development in order that we can accommodate the necessary housing in Ontario?

Mr. Deacon: I've never found it necessary to force these things. The main problem that I, as a municipal councillor, found was that when the government came to us and said, "We want to have development," the government would also not show how they were going to avoid an increased property tax burden on that municipality and, therefore, the blame for that having to be borne by the local council. This is one of the most essential, basic omissions of this government in its approach, so far, to the municipalities that I represent with regard to developments they want to have occur in their area.

Until this government recognizes the position of local councillors, it's primarily to be sure that their existing property owners don't take the full shock of these developments and don't have to bear the cost of it themselves when there's really no benefit to them. I think, until they do that, they're going to have opposition. I know from talking last night to some of the local councillors in our area that one of the major causes of resistance is this government's refusal to assure them of the necessary financial assistance. Certainly, in my mind, it's not necessary, when you have a need, to force people to accept something.

Hon. Mr. Irvine: Mr. Chairman, before the leader of the NDP wishes to comment, I want to go a bit further on this particular matter. It relates to the expenditure of the $200 million which has been referred to in regard to sewer and water. In case the member thinks we're off the point, we're not off the point at all.

I want to find out from the member if he is saying, then, that this government has not provided incentives to those municipalities. We have provided incentives.

Mr. Deacon: No, it hasn't provided incentives at all.

Hon. Mr. Irvine: We have.

Mrs. Campbell: No.

Hon. Mr. Irvine: We have provided incentives by the very obvious fact of the OHAP proposals which have come forth. They have been accepted in certain areas.

Mrs. Campbell: Because you put it over their heads.

Hon. Mr. Irvine: I'm wondering if the member is saying that in his area he wants the rest of Ontario to subsidize certain municipalities more, or whether he is saying that the grants he would provide would not directly be related to the cost of the housing or the development. It's very easy to skate around the problem.

The member is not really saying too much in what he's said so far, because I've said to him that we've gone to municipalities with proposals which will provide them with initiatives and with funds related to the direct cost of housing. I've asked him what he would do in regard to providing housing, and he hasn't really said anything. He hasn't said that he would do any more than go and talk to them.

I can talk to them until I am blue in the face. If they don't want to do it, what would he do then? That is what I would like to hear the member say. What will he do then if the municipalities don't want to expand and don't want to provide the services for housing? What is his programme?

Mr. Deacon: You have not been providing them with the answer. You've said, "We'll give you a $600 grant for a house, or up to $600." And you know darn well a small house in a municipality could be actually costing $600 a year to the rest of the taxpayers.

I'm not asking for the rest of Ontario to subsidize these schemes of yours. What I'm asking is: Don't force the people or anyone in the municipality where you are putting one of these schemes to subsidize the rest of Ontario.

We recognize the need for growth and the need to provide housing. But we are also saying: Do it in a way that does not put all the burden on a few people in a local municipality. You've got to clearly demonstrate that approach, which you've failed to do so far.

Hon. Mr. Irvine: Mr. Chairman, again we have—

Mr. Chairman: Order please. It seems to me the debate is getting a bit repetitive. I'm wondering if we can proceed in a more positive manner and not be repetitive. The hon. minister, did you wish to reply?

Mr. Lewis: You know, Mr. Chairman, on a point of order. I know how hassled everybody gets at the end of a session. It was kind of interesting that a minister was asking questions of a member and there was an exchange taking place, which may not shake the world, but it was probably profitable.

I beg your indulgence, sir. We are coming back in January. We don't have to finish everything up this afternoon.

Mr. Chairman: The Chair felt that the debate was repetitive and there were several points being repeated.

Mr. Lewis: It was repetitious because we are all wrestling with—

Mr. Chairman: The hon. member for St. George.

Mr. Lewis: The minister was replying.

Hon. Mr. Irvine: Before the hon. member for St. George speaks, I want to put it clearly on the record that this government has provided funds to the municipalities that wish to expand by way of not only $600 maximum grants per unit, but also by way of directly related costs to the provision of housing.

We have provided funds, for instance, in the Ottawa area of $2.4 million for a storm sewer. We have provided funds for hospitals. We have provided funds for any other related costs.

What I was trying to determine was what else would the hon. member of the Liberal Party do over and above that after we have exhausted what we think are every means in the way of accommodation for housing—and by not going against the wishes of a municipality. The member did not give me an answer; but I just was trying to find out what he would do. If he wishes to give me an answer, I would really appreciate it. What would he do? If he does not wish to, fair enough.

Mr. Deacon: I just wanted to be sure that there is a demonstrable accounting clearly in front of the council that, as a result of their having agreed to this scheme, they can see down the road that it is going to be self-supporting in the taxation from that development and the revenues the province gives to assist it. That is something that the province has so far failed to do.

All I said was: "We are going to give you up to $600 here. We may help you with a hospital there. We may give you some money there for a sewer."

But you really haven't gone down and shown them that you have taken care of their future requirements.

Too often municipalities have been sucked in by some proposal, and then the taxpayers have had to pay for it later on. It's not fair. It's up to you folks and your staff. You've got floor after floor of personnel. It is time you used those people to do some of that calculating, instead of this darn snow job that they are trying to do to us around North Pickering.

Hon. Mr. Irvine: Mr. Chairman, there is no snow job in North Pickering. No snow job at all.

Mr. Lewis: Oh yes; that's the worst example of planning in the province—North Pickering. They all resent the North Pickering project. You cannot believe how they resent it. They see it as a terrible project.

Hon. Mr. Irvine: Mr. Chairman, let's make it again clear to the leader of the NDP that the plan has not been approved for development—so how can you say that we have not—

Mr. Lewis: Because at every public meeting that they had, the citizens have viewed it as a snow job. They viewed it as an arbitrary imposition—not honest, not real, not answering questions. There is more antagonism to that North Pickering project group than to almost any similar project group around the province, because nobody senses that it is real.

Surely you must know that. Certainly the Attorney General knows it. He sat in the meeting when Livingstone got up and spoke with the audience. There were several hundred people there; they broke into loud and spontaneous applause. He said to the Attorney General, "You've turned me into a man who hates." This old farmer, who had lived in North Pickering for God knows how many years, said that; and the audience burst into spontaneous applause, because that's the way they felt about that North Pickering project group. Don't tell us about North Pickering.

Hon. Mr. Irvine: The audience has broken out into applause too when we announced, as we have, that we are going under the Planning Act with a plan which will meet with the approval of the people in the area. That's what the leader of the NDP fails to recognize.

Mr. Lewis: No, I understand you are doing that now.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: Mr. Chairman, I don't like to labour this point, but I would like to make some observations on this vote as it pertains to Pickering, and I would like to review, if I could, the statements which this minister has already made in the last two days on this particular subject.

He told us that they had spent, with this $45 million which is already spent, $170 million and that they would have to come back to us for further supplementary funding presumably, or perhaps in the next budget for

additional acquisition. He has said there will be a plan announced in due course, and he really used that statement as a response to the criticism levelled at the government that there was no plan. At the same time, the same minister says there will not be a plan until it is developed with the people. And that, of course, is a commitment which was made by one of his predecessors, Mr. Welch, when he occupied the same position.

So you see what kind of a plan we've got. A plan to be announced, which won't be announced because the people have to approve it or something. We have put in sewers for a plan that we have, which can't be brought about until the people have approved it. We have spent $170 million, and we don't know how much more, because of a plan which will be announced soon, but which can't be announced soon because the people have to approve it.

Hon. Mr. Irvine: Mr. Chairman, would the member let me interject?

Mrs. Campbell: I would like to finish, if I may, because I'm a little tired of the interruptions which the minister has made. I am not yielding, Mr. Chairman.

Hon. Mr. Irvine: I want to correct a statement.

Mrs. Campbell: The minister certainly can address me when I am finished.

Hon. Mr. Irvine: On a point of order, Mr. Chairman.

Mr. R. Haggerty (Welland South): There is no point of order.

Mrs. Campbell: Mr. Chairman, may I continue? I haven't yielded.

Mr. Chairman: The Chair would rule that the minister is out of order.

Mrs. Campbell: Mr. Chairman, may I point out that the minister entered into this question-and-answer period with my colleague trying to bring about answers in the most simplistic kind of way to questions which of course have to begin far behind the questions that he placed.

There are areas that want growth. There are areas that want growth because the government plans, not just by sewers—although that's one of the things—but by assessment. They produce the kind of government which has been costly to the people, and those municipalities caught in that have to have the funding in order to carry out the kinds of projects that are required.

The minister has talked about incentives. One of their incentives is an agreement to expend up to $600 toward sewer services. In the first place, it doesn't even say $600, it says "up to," and in some cases it may be $450. Now $600 today does not cover the costs of the sewer connections.

That's an incentive? Indeed, $600 is not enough to seed an acre of parkland. But the municipalities are going to have to put in that parkland, if they are going to have any kind of human quality in their development. They have to have schools to take care of this kind of development. There is precious little in the way of incentive to developing school programmes and school facilities which have to have a priority call on the tax dollars.

Certainly there are places that don't want development; they can't afford it. This government keeps crying they can't do these things because Ottawa doesn't help them out. Well, just in turn, remember that your municipalities across this province are crying out that you are trying to impose things on them without giving them the assistance they need to make a human kind of development.

We have had the Toronto-centred region plan. I don't know where it is, nor do I know what's left of it. If the minister wants to talk about a plan which is an overall plan to be introduced, and I think that mighht have been the point he was trying to make, there aren't too many people who would have too much confidence in any such overall planning, because they have seen the way the Toronto-centred region plan has not been developed.

The other night I was having a discussion with some people who were very concerned about the conditions of this world today and our form of democracy. They said democracy is great as long as things are going well, but when things are tough it takes strong voices to tell people the truth about what is happening. I think what my colleague was saying was if we think we are having problems with the petroleum industry and trying to get the facts to the people of what is happening there, what really is going to happen when you have to face them with the facts that we are running out of food, because with your kind of approach to North Pickering you have a lot of fallow land. I think we cannot afford to be a totally importing province, because the countries from which we are presently importing are running out of time for export purposes.

There is no question that some growth is natural growth. There is some growth, however, that is purposely a matter of the development approach by government. I think what we are all saying about North Pickering is that these people have either been left in the dark for a long time at the initial stages or they have been given something—and I am not suggesting that the minister is deliberately misleading—which they can't accept in manageable terms, if one talks about a growth of about 75,000 to 90,000 as the minister has suggested.

The trouble is that when you get to these public meetings it doesn't come through that that's for starters, it doesn't come through that all of the facility planning is for a much larger population.

This is what makes us say, as indeed the NDP have said, that there is a dishonesty in this.

There is a lack of frankness because what they are asked to accept is not really what the government foresees for the area, nor is it in accordance with the plans which have been made by government in its development processes. One of the reasons I have always felt that this North Pickering was a very poor project was because, no matter how you look at it, it is a link in, a build-up, which will carry us not just to Oshawa, but it will go much farther than that over the course of years. This is what is of concern to me.

Now I would like to turn to one other aspect of this particular vote. I can recognize the fact that the minister is not in a position to disclose to us what further funding he will need for land acquisition. It couldn't be on global terms since the area is pretty well defined, and I think that is quite understandable. But what really concerns me in all this is what this supplementary figure, together with the 1973-1974 figures, provide something in the nature of $15,816,000-odd more than was provided in 1973 and 1974.

We don't need to do anything other than state the fact there has been a serious decline in housing starts this year. We have concern as to where the housing is coming out of this since we know that these figures will not produce housing—and the minister has been perfectly honest about that for some period of time. This represents a six per cent increase over the actual expenditure as we have it in public accounts over last year.

I would like to know, since this is entirely allocated to North Pickering, what are the provisions for family rental housing. Are we to assume that's been phased out? There hasn't been a statement on it, but it would appear to me from this kind of a supplementary estimate that that seems to be falling by the wayside. I would like some assurance on that before voting on this.

Thank you, Mr. Chairman.

Mr. Chairman: The hon. minister.

Hon. Mr. Irvine: Mr. Chairman, the point of order that I was trying to bring out earlier was the fact that I spoke on an overall of development for Ontario and that was not related to the North Pickering plan, which the member quite properly brought forward. I wanted to make sure that we understood when I was speaking before that it's a plan for development for all of Ontario which would include North Pickering, Haldimand-Norfolk, northern Ontario and eastern Ontario.

The interpretation of the grants that municipalities have received has to be brought into a clearer perspective than that the member has given this House to believe; because although we are providing, as I stated before, up to $600 per unit, we must also understand that the Treasurer provides to municipalities grants up to more than $2 billion in a year. The developer provides to the municipalities, as he rightly should, a certain amount.

But the municipality should not charge exorbitant rates—which in some cases they are at the present time—for every lot the developer wishes to develop. There are some municipalities asking for catch-up funds, and this is where the member must, I think, be a little bit clearer in the understanding of the provision of housing, to realize that municipalities should not be in a position to stop housing because they are asking for funds from the developer and for funds from the Province of Ontario which are not directly related to housing.

We go back to the fact of North Pickering costing a certain amount of money. I think we will find when the ultimate growth of North Pickering is decided and has been attained, that the cost of the housing, of the development in its entirety, in North Pickering, will be at a very reasonable cost. At the present time, we have expended a lot of money; but when you break it down into the number of residential units which you may have, the commercial and industrial enterprises which we will have, it will be, in my opinion, an expenditure well worth while.

Mrs. Campbell: The most inflated are in your opinion well worthwhile!

Hon. Mr. Irvine: In my opinion, you seem to insist that the plans that have been presented to the people in North Pickering were definite plans. I want to correct that interpretation. They were not definite plans. They were only conceptual plans. They have been debated loud and long; and as the leader of the NDP has said, with some dissent no doubt. I think any plan will have that dissent, regardless of where it is. We are going to make sure that the plan we are proceeding with now is a positive plan for development and one which will, in the overall, be for the betterment of all of this area of Metro Toronto, and the North Pickering area in particular.

Now, I see nothing wrong with the expenditure of $170 million for land to this date, or additional expenditures, because I really believe this development will be one which we all can be proud of in the final analysis. But let's give it a chance. I don't think we can take the negative attitude that this North Pickering development is something which should not occur because the airport is coming. That was not why the decision was made. Whether the airport comes or not, the development is going to go ahead.

Mr. Lewis: No, that was the basis for the decision.

Hon. Mr. Irvine: And we will proceed with the plan in the early part of this year, as soon as possible.

Mr. Chairman: Shall item 2 carry?

Mrs. Campbell: Mr. Chairman, might I have some answers to my other questions about the family rental housing?

Hon. Mr. Irvine: That has no bearing whatsoever on this particular vote. The rental housing—

Mrs. Campbell: It has on a supplementary budget item.

Hon. Mr. Irvine: No, the funds for rental housing are still in our estimates.

Mrs. Campbell: Unspent?

Hon. Mr. Irvine: Not unspent entirely.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Thank you, Mr. Chairman.

Mr. Chairman: On item 2?

Mr. Haggerty: Item 2, yes. I was perhaps caught between the two particular parties here this afternoon; the minister and the delegation from the town of Fort Erie, Ald. Vic Miller and the building inspector, Mr. Ken Chesney, who I guess are waiting for the minister to sign the official plan for the town of Fort Erie. I believe this has been some three or four years in the making, and perhaps I should give up my time this afternoon and let the minister run over there and sign that document, because I think it's important to the town of Fort Erie.

Hon. Mr. Irvine: Mr. Chairman, I think I can do it for you.

Mr. Roy: Have you learned to sign your name yet, Don?

Mr. M. Gaunt (Huron-Bruce): Bring it over here. Sign it over here.

Mr. Haggerty: But, Mr. Chairman, I do want to speak on vote 804, relating to the Ministry of Housing supplementary vote and the additional funds of $103 million for the housing development programme. I was particularly interested in an article in the Times Review of Fort Erie, Ont., of Nov. 27, 1974, and it's headlined—

Mr. Chairman: I am wondering if the hon. member isn't on item 3 on the $103 million.

Mr. Haggerty: No, this is Ontario Housing.

Mr. Chairman: Oh, I am sorry. Continue, please.

Mr. Haggerty: You will have to wait till I get into it, Mr. Chairman, to follow my comments. I was interested to read the article whose headline was "HOME 200-lot Subdivision Okayed." It read:

> Monday evening council unanimously agreed to the proposal of a 200-lot subdivision along Crescent Rd. which will put low-cost on the market on an easy financing scheme with guaranteed prices.

Of course, this is an agreement by St. David's Investment, located some place in the city of St. Catharines, under the planning, or joint planning, with Ontario Housing Corp. which will purchase the lots in 67-lot packages. I was interested further in the article:

> The lots can be acquired under a 50-year lease but residents have the option to purchase a lot outright from OHC every five years. The mortgages will be based upon a 50-year mortgage term rather than the usual 25-year mortgages.

Of course, when one looks at this particular section here it means that regardless of how many years a person is purchasing that home it will take about 15 years before he gets maybe $100 equity into the purchase of the home. When you extend it for 50 years, that is rather a long time, you know. It is a question whether a person will be living by that time to pay off the mortgage.

Mr. Chairman: Order, please. I think the hon. member is on item 3, which is the Ontario Mortgage Corp. and not on the North Pickering project.

Mr. Haggerty: Does this deal particularly with North Pickering? It doesn't say in here.

Mr. Chairman: We are on item 2, which is the Ontario Housing North Pickering project. I would say that the member is out of order if he is not speaking to the particular money voted in that estimate.

Mr. Haggerty: Perhaps you are quite right. I will allow the minister to go and sign that document.

Mr. Chairman: The hon. member for Victoria-Haliburton.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Chairman, I wonder if the minister would comment upon the North Pickering project developing plan, whereby the citizen advisory group are working with the planners. It seems to me there is some cause for concern in the reflection of the development of the plan which is very much due to the lack of sufficient co-operation among these two groups.

I want to say, too, that I think the idea of the citizen advisory group working with the planners is an excellent one. The only thing I am very much concerned with is the comments that I get from some of those people that decisions are always arrived at before they sit down to decide upon them. If that is the case, you will soon lose that group who are advising you and working with you on the development of the plan, and I think this is very much a reflection of the development of the North Pickering plan itself and its project.

I just simply want to remind the minister that he has to have the full co-operation of other ministries of this government to develop this project, because, as I have said in this House before, confusion and chaos are going to happen out there because everybody is setting a target date of 1977 to start everything. You have the airport starting; you have this project starting; you have 407 starting; you have the widening of Highway 7 starting; and you have the housing that is directly south of Markham being completed. You have all that, and then you have the garbage trucks and everything else going out to that garbage area, which is through that very section. It seems to me that you have got everything, and everybody is doing an excellent job, but there is lack of co-ordination for the services of the people.

I am particularly concerned because I come down through there every week from my riding to this place, and I can visualize that the first guy who tosses away the key to a car on one of those one-way sections of the highway will stop everything in that particular section of this province for about two weeks, because we will never get a tow truck close to that car.

It seems to me you don't have the outlets or facilities for this sort of thing.

I wonder if that North Pickering project planning group is doing anything more than looking at the 8,000-acre piece of land and thinking outside and whether it is really utilizing the citizen's group there who can reflect some of these things that are of great concern to places around the project. These problems are certainly going to interfere with the way of life of much of Ontario of those who have to go back and forth through that particular section of this province.

Hon. Mr. Irvine: Mr. Chairman, the hon. member has brought forward a very important point and I would like to comment on it. Only this week I met with the advisory group of some of citizens in the area, at least in North Pickering. We assured them that they would have the services of a planner to assist them to have their views known to the development corporation and to the minister at all times.

We also have to say to the member certainly when the plan is developed it will be with the full co-ordination and full co-operation, I hope, of all our ministries. On the matter of transportation and the matter of the protection of the environment, all of the related ministries will certainly have full input as to the ultimate plan.

In the past, it's my understanding that the North Pickering staff have endeavoured to combine all the ministries involved in regard to their views. Now that we have a development corporation and the staff for North Pickering, we will have a plan which relates

directly to all the problems which will have to be resolved before the official plan for development is approved by the minister.

Mr. R. G. Hodgson: Mr. Chairman, I would simply point out that some of the biggest projects this province has ever seen are all going to take place in one small acreage of Ontario in the same year without the present facilities being adequate for the present services required for the population of that area and the rest of the province at the present time.

Highway 48 going through Markham cannot handle the traffic that is there now, north of Highway 401 up to Markham. You need a bypass at Markham for Highway 48 now, not in 1977. You need Highway 407 running past this project now, if you're going to start trucking, construction and everything.

If you can just visualize the size of the North Pickering project, the possibility and a target date of the international airport and the garbage trucks of Metro going through there; if you can visualize all that taking place in 1977, along with a greater population directly using those facilities under way now by the Minister of Housing in his own housing programme, thereby adding an additional load on the facilities in that immediate area; and all of this happening at one time, within months, and everybody doing a good job of planning on his own project, I seriously doubt this province is co-ordinating all those projects and activity on that small piece of land.

What it's going to mean, I'll tell you, if you stop all the traffic from that northeastern and eastern part of Ontario flowing into this city, is that you'll have such chaos as you've never run into before.

Mr. Chairman: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Chairman, listening to this debate makes me just wonder. When I listen to the amount of money that's being spent in one part of the province for housing and so forth, it makes me wonder about other parts of the province where we have towns and villages which actually have land for housing and which have land for small industries. Yet some of them at the present time, have built sewage plants and they are delighted to get an industry to even consider establishing in the town.

I firmly believe that our good land shouldn't be used for housing or industry. I know that towns and villages in southwestern Ontario have land available for housing and industry, as I said, but they have great difficulty in encouraging them to establish in those places.

One of the reasons is that there is no work available in those towns and villages in southwestern Ontario at the present time, and many of them feel that it's practically impossible to afford sewage plants. They hesitate because there are so many pensioners in those towns and villages, although they have the land for housing and small industries.

In southwestern Ontario Mr. Chairman, we produce many agricultural products, such as soya beans, which we have to ship to Toronto or to Hamilton to have them crushed. We also produce tobacco in that area, but again it has to be transported to Toronto, where there is one plant that manufactures cigarettes. It's unusual, I think, that these plants aren't established in towns and villages in southwestern Ontario where the products are produced.

We are proud of the city of Toronto, but it has a problem in terms of crowding; it is at the saturation point and there are not enough means of transportation. But in the towns and villages in agricultural areas, after high school students are educated to grade 13 they are sent to universities across the province of Ontario. When they graduate, of course, they have to go to the great metropolitan areas in order to get jobs that will pay them the salaries to which they are entitled.

As I said before, these towns and villages are anxious for development because they have the land for housing and for small industries. I hope, therefore, that the minister will look at this. We've had incentive programmes, under the Ministry of Industry and Tourism, to encourage them to establish small plants in those areas, but it never happened.

When these towns and villages build their pollution control plants, they know they must have some development in order to pay for these new services, which have been needed for many years. When I listen to the debates here, and I think about the overcrowding and lack of balance in the Province of Ontario at the present time, I wonder why these towns and villages can't get any development. I hope the minister will take a serious look at this situation.

The population of our towns and villages has been stationary for 50 years; there has been no growth whatsoever. Yet when we look at the great Metropolitan Toronto area —and we are proud of it; we are not against

it—we see that it is overcrowded and that there is a scarcity of land for housing—but still no development takes place. We don't want industries that are too big in these towns and villages, but there is lots of room for small industries in the towns and villages of southwestern Ontario.

Mr. Singer: Well said.

Mr. Chairman: Perhaps we are straying a little bit from the particular item.

Hon. Mr. Irvine: We might be, Mr. Chairman. I guess the hon. member was relating his remarks to the overall cost of North Pickering, so I'll reply to that and perhaps stray a bit too.

In any event, the development of the project will certainly not be self-sustaining for many years, but it would be my hope that we would recover all the costs of this development when the final plan for development has been obtained.

Now, the member relates to other areas which haven't received adequate development. That was what I was referring to when I said there was to be an overall plan for development throughout all of Ontario—which the Treasurer will be announcing in the not too distant future. For those municipalities that wish to expand and wish to have finances provided, I am quite confident that it will be done. We have assisted in many cases in the past, and will continue to do so in the future.

When we talk about the North Pickering area being a preferred area, really it's not the case. We are talking about providing funding now for a project which I think in the long run will be self-sustaining, and will also provide funding for municipalities throughout other parts of Ontario.

Mr. Chairman: Shall item 2 carry? Item 2 agreed to.

The hon. member for Downsview in item 3.

Mr. Singer: Mr. Chairman, in item 3 the minister is asking for some $58 million for the Ontario Mortgage Corp. And when you look at the page 7 in the estimate book, under disbursements, it describes it as "advances to the Ontario Mortgage Corp. to be disbursed in the form of primary and secondary financing under the HOME plan, the Condominium Act and the Ontario Housing Corp. Act."

Now, the minister knows that I have been trying to get the specifics of the use of these moneys from him; the statutory authority or the regulations that have been passed in regard to this; or even the ministerial directives that govern this. I've been trying to get it from him. He's promised to look it up and provide it to me.

Our research staff have been trying to get it, and we haven't really come up with any specific programme, direction, order, controlling mechanism—certainly no regulations, certainly no statutory provisions—which looks after the disbursal of these moneys and sets down the rules by which they are looked after.

The best I've been able to come up with is this, Mr. Chairman. Ontario Mortgage Corp. apparently is a corporation incorporated under the Business Corporations Act, and it was incorporated by government. There are no specific statutory directions relating to Ontario Mortgage Corp. The shareholders or the people owning the shares of that company are, I guess, the government of Ontario.

We've heard about the HOME plan in various speeches and announcements made by this minister and his predecessors. The Condominium Act really is nothing more than the statute which provides the legal method of creating condominiums and registering them in the appropriate registry offices. And the Housing Corporation Act is the enabling statute for the Ontario Housing Corp.

So, having said all that, we are really back to point one. What are the rules and regulations governing these mortgages?

This is as far as I have been able to figure out. I have here a copy of a circular talking about another HOME community developed by Ontario Housing Corp., an agency of the Province of Ontario, in co-operation with the government of Canada. There are some rules here about these mortgages.

I would presume that what I am going to read now applies generally to the mortgages that the Ontario Mortgage Corp. advances, particularly insofar as condominiums are concerned. And that is the sphere I'm going to comment on at some length now.

Under the heading of eligibility rules in this circular, it says:

> Applicants must have been a resident of Ontario for at least one full year. Applications are limited to one per family.

Now I think that's the first point I would ask the minister to note carefully.

> Applications are limited to one per family. In order to meet the objectives of the HOME plan, applications are limited to couples or individuals with at least one legal dependent.

I think that's important.

> Generally, persons who have already purchased an OHC-sponsored house are not eligible to participate in this lottery.

Well, a lottery is not really applicable, because we are talking about certain HOME houses. I'm talking about these mortgages so far as they relate to the HOME mortgages and so far as they relate to condominium units.

Planned dwellings are for owner-occupancy only and may not be sublet. If the successful applicant owns a house or a home at present, he or she must sell it before moving into a dwelling offered in this lottery. Applicants are restricted to single-income families whose current gross annual incomes do not exceed $14,500 and to two-income families earning up to $17,000. In the latter case, 100 per cent of both incomes may be totalled to determine eligibility.

In order to qualify as a purchaser a family's monthly carrying charges, land rental and municipal taxes must not exceed 30 per cent of the gross family income.

So what have we got, if those are the general conditions? Would the minister agree with me that generally those are the general conditions that would apply to condominium mortgages?

Hon. Mr. Irvine: Yes.

Mr. Singer: All right. We have gone that far. So they are limited to people within certain incomes, minimum and maximum. They are limited to people who do not already live in a home or they have to sell it, and are limited to people who—

Mrs. Campbell: And can only buy one.

Mr. Singer: —yes, can only buy one—and are limited to people who aren't allowed to sublet.

Those, basically, are the general conditions. If you look at one of these mortgages—I am reading from a HOME mortgage, and the forms are substantially the same; they are printed forms—clause 21 of the mortgage I am reading from says:

> Providing that within a period of five years of the date of registration, any transfer or conveyance or other dealing with the said unit, other than the transfer of conveyance by the mortgagee to the first purchaser, which has the effect of transferring the legal or equitable interest in the said unit, shall take place without the prior consent of the mortgagee [and that's HOME] then, in that event, and at the option of the mortgagee herein and upon demand, the balance of the principal sum hereby secured, together with any other moneys due and owing to the mortgagee pursuant to the terms of this mortgage together with interest as herein divided, shall forthwith become due and payable.

To attempt to translate that into a little simpler English, what it means is that after the sale to the first owner, who is able to take advantage of this government mortgage, subsequent sales are subject to supervision and prior approval of Ontario Housing, and in the event that they don't approve they can call for the immediate payment of all the balance due and owing under the mortgage; not an unreasonable control step at all.

What kind of mortgage are we talking about in addition to the specific qualifications? We are talking about 8¾ per cent mortgages; at least some 3¼ per cent below the going market rate. So we are talking about people who have the need for condominium housing and who are being given an advantage by government under this plan. That's what the minister is asking for; he is asking for another $58 million worth of funds to help people who need housing. In fact, it's more than helping; it's subsidizing, because he is enabling a certain group of the community of Ontario to arrange mortgages at less than the going rate. That is a subsidy. And if somebody can get an 8¾ per cent mortgage, they are going to benefit from that. They are, in fact, being provided a subsidy by the rest of the people of the Province of Ontario.

In principle we don't object to that, provided, Mr. Chairman—and this is what these remarks are all about—that this is fairly and equitably done and the rules are lived up to. What I am going to establish now, Mr. Chairman, are half a dozen examples where the rules have not been lived up to. And I am going to say that in light of the past performance of Ontario Housing and of the ministry, the minister does not deserve to have voted to him the $58 million he is now asking for; because there is no evidence at all that his officials or the officials of Ontario Housing Corp. who are charged with this responsibility have done their work properly, if at all.

While it's bad enough if it's merely negligence, it may be much more; and I don't

understand what it is, Mr. Chairman—but let me give you some of the history that we have been able to ascertain.

I am going to talk about specific titles and mention specific names. The first building I am talking about is unit 18, level 29, building 5, Crescent Town, York condominium 76, 5 Massey Square. There is a charge or mortgage. These mortgages I think run to what, Mr. Minister, about 90 per cent or 95 per cent?

Hon. Mr. Irvine: About 90 or 95 per cent.

Mr. Singer: Yes, 90 or 95. There is the charge that goes on on July 1, 1972. It is put on by the owner-developers, I suppose for the record you might as well have the names of the owner-developers. They are Rose Park St. James Investments, Rose Park Parliament Investments, Rose Park Wellesley, Rose Park Bleeker and Rose Park Howard Investments. Those are the developers. Ontario Housing Corp. gives them a mortgage and it's in the standard form for $22,074 and that mortgage bears interest at the rate of 8¾ per cent.

Then the first owner is a gentleman called Al Hladik. He buys that property from the owners, that condominium unit, for $23,196. So, in fact, his down payment, according to this, is the difference between $22,000 and $23,000, roughly $1,000. Mr. Hladik becomes the owner of this condominum unit, subject to a $22,000 mortgage, interest at 8¾ per cent, and he has put up his down payment, presumably of $1,000, in September, 1973.

In November 1973, two months later, Mr. Hladik sells to a Eugene Pavelek, the same unit, for $26,500. That is not a bad turnover for Mr. Hladik in a two-month period. He makes a profit apparently of some $3,500. But interestingly enough, Mr. Chairman, the mortgage stays there; so Mr. Hladik really had something very merchantable. He puts up $1,000, he gets a cheap mortgage subsidized by all of the people in Ontario and then he turns around and sells it to Mr. Pavelek for the extra $3,000. Mr. Pavelek gives back to Mr. Hladik a second mortgage for 10 per cent on $3,400, a little more than the difference in price. Mr. Hladik is a pretty shrewd operator. He takes back a second mortgage at a higher rate of interest and more than the difference in the two prices. Instance one, Mr. Hladik.

Let's go now to unit 1, level 18, building 3, the same condominium development. The owners put on a mortgage to Ontario Housing Corp., and they then sell it to Oldrick Hladik. Our research indicates that Oldrick Hladik is the same person as Al Hladik. There is no doubt. He becomes the owner of a second one.

Remember the conditions, Mr. Chairman. The conditions were only one to a customer and it's to benefit a person in a particular income bracket; and if he changes, then Ontario Housing should be able to move in and demand the payment of it. I guess they didn't pay too much attention to Mr. Hladik or their checking wasn't very close. Now Mr. Hladik on Nov. 4, 1972, owns unit 1, level 18, building 3. At that point, he has owned one and sold it at a profit and he now owns the second one.

Mrs. Campbell: No, this one he bought in 1972. The other was in 1973.

Mr. Singer: Oh yes. There's a second one in any event. Then look at unit 1, level 11, building 1. A mortgage again, a low rate of interest again and transferred to—guess who? Good old Oldrick Hladik. He gets the third one.

One to a customer, Mr. Chairman; but here's old Rick Hladik who has had three. Then there is unit 7, level 28, building 5, the same development.

Mr. Ruston: He must know the minister.

Mr. Gaunt: He must be a good Conservative.

Mr. Singer: I don't know who he was. There's a charge on July 1, 1972, to Ontario Housing.

Mr. D. A. Evans (Simcoe Centre): There are no bad ones.

Mr. Singer: The first owner is not Mr. Hladik but a lady named Sylvia Bucek. However, she doesn't hold it for very long. On Jan. 15, 1974, she sells it good old Oldrick Hladik. So now he has four. Hladik holds that then for two months from Jan. 15, 1974, to Mar. 12, 1974, and then he sells it to someone called Mohan Dixon for $25,000; and Mohan Dixon gives back a second mortgage to Hladik for $2,900 at 11 per cent per annum.

So this scheme certainly has been a great benefit plan to Oldrick Hladik. The government obviously has not checked, or Ontario Housing has not checked carefully or at all, insofar as the approval of the initial purchaser is concerned. Certainly no approval seemed to have been sought when the units changed hands for second and third times, because the

original mortgage, the first mortgage to Ontario Housing, remains. It wouldn't appear from anthing registered on the title that this clause 21, being one of the standard printed clauses in the mortgage, has ever been used.

What are you up to? Or what are your officials up to? If I use the word "you," Mr. Minister, you'll understand I'm not referring to you doing it personally, I'm referring to the administration that it is apparent you are accountable for, and the people who I do not believe are doing their job.

All right, that's one set of properties. In the same area, unit 10, level 29, building 5, there's a charge or mortgage on July 1, 1972, given by the owners to Ontario Housing; the same mortgage, same interest rate and so on. They transferred, on Feb. 1, 1974, to Wilmot Watson. And Wilmot Watson, on Nov. 15, 1974, not very long ago, transfers the property to Mohammedali Bandali for some $35,000. That's one instance.

Unit 11, level 29, building 5: A charge from the owners to Ontario Housing Corp. transferred on Nov. 14, 1973, to Mohammedali. So, he's got a second one. And then he transfers it, on Dec 31, 1973, to Doris Wisiak. The price increasing every time and people profiteering—the same people profiteering—at the expense of the poeple of the Province of Ontario.

You have the safeguards, you don't use them; these things take place in instance after instance, and there is no policing work done by the Ontario Housing Corp.

Let me give you another one. Flemingdon Woods, York condominium 73743. The developers are Davill Investments Ltd., Car-Allen Investments Ltd. and Olympia and York Developments Ltd. And for condominium unit 8, level 7, condominium 43, 5 Vicora Linkway the history is much the same, just some of the actors change.

There is a charge from the owners to Ontario Housing in 1971. In 1974, Mar. 11, Harry Anthony and V. Milner—I'm missing one document; the owners must have transferred to Harry Anthony and V. Milner—they sell it to David Morris for $35,500, and David Morris gives back a second mortgage to Harry Anthony and V. Milner

I may say there is one common thread that runs through this. Not once is the original mortgage to Ontario Housing ever discharged; not once has this clause 21 ever been taken advantage of.

In the same development, unit 15, level 15, condominium 43, the charge from the owners to Ontario Housing in 1974; and then on Feb. 5, 1974, one William Pye sells it to none other than David Morris. So there David Morris has two.

But there's more to come about David Morris. Unit 7, level 1, condominium 43, charge in November of 1971 to Ontario Housing, transferred April 22, 1974, to—guess who?—David Morris by the owners. Now he's got three.

And then the penthouse 3, level 20, 60 Pavance Linkway; there is a transfer again, I am advised, to David Morris. He's got four.

One to a customer? No profiteering? Controlled income, high and low levels? What kind of nonsense does the government do?

Who do they subsidize? Why do they subsidize people who apparently don't need it, people who deal in land, people who take advantage of the bonus given to them by the people of the province of Ontario to provide low interest rate mortgages? What kind of controls do you have?

Let me give you another one. Flemingdon Woods condominium No. 77, unit 14, level 13; condominium 77, 5 Victoria Linkway. Charge from the owners to Ontario Housing Corp., May 1, 1972; transfer from the owners on Dec. 20, 1972, to Pierre Imbert.

As I say the actors change, but the story is exactly the same.

Unit 1, level 16, condominium 77. Charge from the owners to Ontario Housing; transfer from the owners on Feb. 9, 1973 to Pierre Imbert.

Mr. Good: Public inquiry.

Mr. Singer: Unit 1, level—I can't read the typing here, the level really doesn't matter, we can find it if the minister is awfully concerned – condominium 77. Pierre Imbert is there again. So he has got three.

When we had found out that much, Mr. Chairman, I decided the case was well enough established. Obviously there are speculators speculating on the HOME land. Obviously there are speculators speculating at the expense of the people of Ontario. Although there are directions and policies, and even mortgage clause privileges that allow this to be stopped, and requirements for a check of the first purchaser, obviously whoever is charged with that responsibility either has done their work very badly or they haven't done it at all. If the excuse is negligence there is no excuse for it, and if the excuse is something else then perhaps some criminal charges should be laid.

Mr. Haggerty: Time for an inquiry.

Mr. Singer: I say, Mr. Chairman, the time has come—and it is long overdue—for a complete and thorough-going top to bottom investigation and public inquiry into the business management and the affairs of Ontario Housing Corp. Mr. Chairman, you may be aware that I am sort of in the midst of the saga of South Milton. I am not going to continue that today; I will continue that on another day.

I also have another phase of Ontario Housing that on another day I am going to take up with the minister and I have been nibbling at it in question period. That is about overcharging and payments of inflated invoices—how many times it happened— and the relationship of all those incidents to the 27 charges that were laid against Ontario Housing employees for accepting gifts; because I suggest, Mr. Chairman, there is a definite relationship.

However, appropriate only to this hour is the request of the minister for some $58 million for more mortgages, and I say, Mr. Chairman, that my colleagues and I cannot bring ourselves to vote this amount of money, even though the idea behind this kind of mortgage lending is a good one and is for a group of Ontario citizens who need some substantial help to buy housing units.

We are not satisfied, Mr. Chairman. We are not satisfied that Ontario Housing is doing its job and is letting out these mortgages on a fair and reasonable and equitable basis. It has allowed, for whatever reason, it has allowed exploiters and developers and speculators to move in and to make a profit. Unless and until the minister can give us some reasonable explanation as to why this kind of event should have taken place, not once but dozens of times, then I don't know how he can expect the House to have confidence in the administration of this scheme.

Mr. Chairman: The member for Welland South.

Mr. Haggerty: Did the minister want to reply?

Mr. Chairman: Did the minister want to reply to the member for Downsview?

Hon. Mr. Irvine: Yes, Mr. Chairman. Obviously I will look into the matters that have been raised by the member for Downsview. I haven't got the facts, as he has. I wish to substantiate what he has said and will do so. If there has been a misuse of the plan then I will certainly take steps to correct any misuse.

I am aware of one other instance which took place without our knowledge—without OHC being aware that a transfer had been made. This happens at times when the mortgage is not discharged, a person can make a sale without the knowledge of OHC. Now it may be that the member has hit a very important point when he said the original mortgage was not discharged. That, I think, is the crux of the problem.

If we are not aware of the sales, it is not that OHC is not doing its job properly. I think it's a matter of people being dishonest with the intent of the programme. It doesn't relieve us, though, of the obligation to be on top of problems such as this, and I will look into the matter. I think if we had allowed the mortgage to be discharged and this man to have three properties, knowing that he had three properties, then I would say that we are very much in the wrong. But I do not believe that OHC, or any of its officers, knew that one person had two or three or four properties.

Mr. Singer: Mr. Chairman, I would think that whatever system of checking did exist, surely there should have been some kind of sworn declaration on behalf of the first owner that he owned no others, and that should have been renewed. When you get one owner with four and you have some kind of affidavit, then the man is guilty of perjury.

An hon. member: How?

Mr. Singer: Wait a minute. Secondly, if I buy a house on which there is an existing mortgage, my lawyer is going to ask for a mortgage statement. I'm certain that the secondary and tertiary purchasers would have had lawyers who would have asked for mortgage statements and they would have asked the mortgagee; and the mortgagee was Ontario Housing Corp. When the request came in, surely somebody should have been alerted in Ontario Housing Corp., when they had to send out a mortgage statement as to how much was owing under an existing mortgage, that there was a pending change in ownership.

Third, after the ownership had moved from A to B the mortgage payments would no longer come in from A, who was the original first owner. If you get a cheque from B when the mortgage is with A, that might have sounded some kind of a warning bell.

If the scheme is such that one of these multiple owners arranged some complicated system of getting the money due under the

mortgage paid to him so the cheques would be sent in by him, then you're in the midst of the great scheme of fraud. Then, I think, you should get your police after that and charge some of these people.

But it doesn't seem logical to me, Mr. Chairman, that when mortgage statements should be required, when cheques are required regularly, and when you get the same names on your books three, four and five times, that somebody over there shouldn't have been able to find out what was going on.

Mr. R. G. Hodgson: Were they different lawyers?

Hon. Mr. Irvine: Mr. Chairman, I think we have to determine, first of all, who was the lawyer involved on behalf of the owner and on behalf of the next buyer; whether it was the same lawyer or not. It could have been. And whether the standards used by the lawyers in all cases are at the same level, I'm not going to comment on. I would suggest there could be a difference.

I'm going to assure the hon. member, though, I'm going to look into the matters raised before us. If we are at fault, I will quite readily admit to this and find out why. First of all, before I make any comments, I want to find out what the transactions actually were, and how they took place. I think that is a reasonable request.

Mr. Singer: Mr. Chairman, before I let the minister go on this: Can you tell me, in brief outline, what system of checking exists now, today, Dec. 18, 1974, for handling these mortgages?

Hon. Mr. Irvine: You have already read the book.

Mr. Singer: Is that the system? My friend Mr. Breithaupt, not the member for Kitchener, my friend Mr. Breithaupt puts himself within that income category. What does he have to do to get approval? Does he fill out forms? Does he swear an affidavit?

Once Ontario Housing Corp. sees his name, is it run through a card list to see if he's already a mortgagor? What is your specific system of checking? What are the mechanics of it? Because I think the mechanics are very, very important.

It's my suggestion that it just isn't working, in view of the evidence I've heard here. The mechanics can't be very accurate, unless there is some explanation for this strange series of events; not just one instance, but the four or five I've outlined and many more that I understand exist.

Does the minister know, and can he explain to us how the present system works as of Dec. 18, 1974?

Hon. Mr. Irvine: Mr. Chairman, we have already clarified this in answering the member's previous comments about the system. But what we haven't really determined is how you can be assured, when someone makes an affidavit, that he is not telling the truth. Generally you would assume they are telling the truth.

Mr. Singer: If there is an affidavit; do you know?

Hon. Mr. Irvine: If they sign an affidavit that they have no other homes, then I assume that that should be the truth. If someone is committing fraud we will look into that, and that's what I want to do.

Mr. Singer: Do you have the forms with you? What documentation is required? Is it in the form of an affidavit? Is it in the form of a statement? Can you indicate the extent to which the requests for mortgage statements are related to existing records and the extent to which payments are related to named mortgagors whom the government or Ontario Housing believes are the existing mortgagors—

Hon. Mr. Irvine: Mr. Chairman, obviously I haven't got them with me, but I will undertake to find out what procedures are followed and what happened in these particular cases and tell the House what we do and what happens when we resume in the next few days.

Mr. Chairman: Is the member for Welland South on the same question? If not, the member for Wentworth.

Mr. Haggerty: I am on vote 804.

Mr. Chairman: Yes, I know you are on the same vote, but I think the member for Wentworth had a question on the same subject as the member for Downsview.

Mr. I. Deans (Wentworth): I have a very similar question to the one raised by the member for Downsview. I raised the question last week about the family in Bramalea.

You are familiar, are you, with the Nancekivell situation with Mr. Kalyani, who purchased the home, never lived in it and rented it? Perhaps you can answer the questions that I raised last week, but what I would

like to ask of you in that regard is this: Ontario Housing were obviously aware that Mr. Kalyani wasn't living in the home, because they sent out two letters addressed to "the occupant" because they didn't know who was there. If they were aware that was going on, if they were aware that Mr. Kalyani had never ever moved in and that he had rented it from day one, in what I think is in violation of the agreement that he signed with Ontario Housing—

Mr. Singer: It is.

Mr. Deans: I haven't seen the agreement, I can only assume it was in violation.

Mr. Singer: It was in violation of those conditions. I read the conditions.

Mr. Deans: Then how can it be that this can go on and Ontario Housing can be aware of it and absolutely nothing happens?

Hon. Mr. Irvine: Mr. Chairman, on this particular case the member is referring to, I haven't got the answer with me. But I have the answer in that particular case and I will read it out tomorrow.

Mr. Deans: You are aware there are other homes in the area that have been sitting empty since April of last year.

Hon. Mr. Irvine: Well there is more to it than what you see on the surface.

Mr. Deans: Okay, I am only telling you what I know. I'm not claiming for one minute that every word I uttered in that regard was gospel truth. It was, as far as I was concerned. I was telling you what I believed to be true.

Hon. Mr. Irvine: I have a full statement I can give you on that.

Mr. Deans: And when will you make it?

Hon. Mr. Irvine: I can do it tomorrow.

Mr. Deans: Okay. I do have another matter, but I'll yield to the member from Welland, since I interjected into his comments.

Mr. Chairman: The member for Welland South.

Mr. Haggerty: Mr. Chairman, perhaps I can continue what I started before I was ruled out of order, and that deals in particular with the housing development programme, vote 804, item 3. I was making reference to an article in the Fort Erie Times Review of Nov. 27, 1974, headlined "HOME 200-lot Subdivision Okayed." It said:

> Monday evening, council unanimously agreed to the proposal of a 200-lot subdivision along Crescent Rd. which will put low-cost on the market on an easy financing scheme with guaranteed prices.

It is not my intention to slight council. I have every confidence in the members of the Fort Erie council, but when I look at the scheme with guaranteed prices and I go on down further in the article—perhaps I'll outline just what they mean by "guaranteed income."

The article said: "It had been mentioned by Alderman Miller that the average cost of a lot would be $10,000 and the average cost of one of the homes would be $22,000." So I suppose if you look at the total it would be $32,000 to purchase a Home Ownership Made Easy home in that area. The agreement is with St. David's Investments, who perhaps are located in the city of St. Catharines, and the property consists of the Crescent Farms in the Crescent Park area of Fort Erie.

I was interested further in the article that lots can be acquired under a 50-year lease, but residents have the option to purchase the lots outright from the OHC every five years. The mortgages will be based on a 50-year term rather than on the usual 20- to 25-year mortgages.

I must say to the minister that I don't think a person would ever pay off a 50-year mortgage. He would be between 70 and 80 years of age. I suppose on a long-term mortgage like that it might take 15 years before the owner obtains any equity in the land or the home itself. I'm sure the minister would be able to come up with a better and more equitable scheme than that to provide housing for the citizens of this province.

The more I look into this matter of the involvement of Ontario Housing Corp., the more I believe that it's not going to provide land at a reasonable cost. For the life of me I can't understand why your ministry hasn't done some research in the area of the cost of existing serviced lots and lots being sold in subdivisions. There is an exceptionally good subdivision between Crystal Beach and Ridgeway, and the lots there have been selling there for anywhere from $5,200 to $6,000, including a $500 impost charge by the municipality. The lot price includes hard-surfaced roads with two coats of asphalt, storm sewers, water services and underground wiring.

The lots in that subdivision are 75 ft in frontage by 132 ft in depth, while the lots that are covered by the agreement between Ontario Housing and St. David's Investments have a frontage of approximately 50 ft, I believe. In other words, they will be approximately 4½ or five lots on an acre of land.

Based on those figures, as well as the information I have before me and the information I have obtained through a good source, the developers who purchased the land at a cost of $2,500 an acre will sell serviced lots at $10,000 each. So there is going to be a good profit—almost $25,000—on an acre of land after it is all serviced.

I have also talked to a contractor in the area, and he tells me that he can install sewer and water services in that area for approximately $8 a ft frontage. Therefore, you are talking about $400 a serviced lot; if you split it down both sides, I suppose that is what it will work out at for these services.

As I look into this matter further, it is my feeling that the people who are going to purchase these lots will have been taken. Do you know what that is going to do to that municipality? It's going to change the whole assessment pattern of that municipality, based on the interest and the involvement of the Ontario Housing Corp. They haven't done any research before going into an agreement in a municipality—at least they didn't in this particular municipality—because if they had they would have searched out the price at which property was being sold. There was no appraisal given on the property They just went in and said: "This is the agreement, and this is what it is going to cost the homeowner to purchase this land under the Home Ownership Made Easy Programme." I can't see that it's going to be easy for any person to buy a lot to build a home in this particular area, because I think they have been taken. It only adds further to the inflated land values in that area.

As the member for Downsview stated, a complete overhaul of Ontario Housing is needed. He was right when he said there should be an inquiry made into their operations, because I don't think they are doing the job they should be doing in the Province of Ontario—not when they can go out and get involved in a scheme like this, where persons are going to have to pay $10,000 for a lot. It might be worth $10,000 in the city of Toronto or some other area, but a lot is not worth $10,000 in the town of Fort Erie, because land is never sold for that price.

In the official plan that the minister has just signed today for the town of Fort Erie, I believe there is a clause that refers to "unique development" or "estate planning," I believe. You might find that the lots will sell for that much on the Niagara Blvd., but then again you are talking about one or two acres of land; however nowhere is land worth $10,000 a serviced lot in the town of Fort Erie.

I hope the minister will take seriously the words that I am trying to convey to him this afternoon and that before Ontario Housing gets involved in any more of these schemes they should go out and make an appraisal of what land is worth in the area, without just coming in and saying. "This is the agreement today; the lots are going to be worth $10,000 a year from now." It just throws the value of land right out the door.

I have talked to a number of real estate persons and brokers in the area and they have definitely told me that land is not worth that much in that area. Now you have come in, you have allowed them to establish the price of $10,000 and it's just going to mushroom across that whole municipality.

It's going to add further to the costs of those persons who want to purchase a HOME condominium and can't; not at that price, because perhaps the income is not that high in that area as it is perhaps in the city of Toronto. All these things should be taken into consideration before you allow Ontario Housing to venture into such a scheme.

I believe the member for St. George mentioned the other day— was it SAS or something like that? I think she's right when she said there was special assistance to speculators in the Provinec of Ontario. This instance indicates that you are tied in with certain developers in the Province of Ontario, and there hasn't been any saving passed back to the person who wants to purchase the home.

There is much to be gained by past experience in housing in Canada. One can go back to the war years and look at the wartime housing, the crisis that we had at that time and how it was solved. I see some of those houses as I drive to the city of St. Catharines, the town of Fort Erie or the city of Welland. Those houses are still there today, and they have met the needs of the housing crisis without establishing some houses on 70- or 80-foot lots that you are perhaps going to have in some of these plans in the Province of Ontario.

I think the basic needs of a house should be there without having a two-car garage attached to it, saddling the homeowner with

additional cost to purchase a home. Give them the basic needs first for that home and then the garage and that can follow later on. I just hope that your ministry would take a look at the wartime housing. It has served a purpose and there is no reason why it cannot be done today without saddling people with a 50-year mortgage. It's ridiculous to go out and buy a home today with 50 years to pay it off. They'll never pay it off.

I am hoping the minister will take these things into consideration. I suppose, too, when you look at the uniform building code this should bring down the cost of housing too. If a person wanted to go out and build a home today, he shouldn't have to get money through another source or agency of the government or through some developer. His job should be the security for obtaining a loan to build a home. That's all that's required.

He shouldn't have to go through this agency or that agency. By the time they get the rake-off and a commission on it, that's about $4,000 on a home. These things have to be changed if you want to put homes up for the average person to purchase in the Province of Ontario. The scheme that you have going today is going to saddle that man with debt for the rest of his life, that's what it does.

He will never be able to obtain ownership unless you change your programme and let his job provide the security. Let him go to the bank, and you finance the bank, in a sense, to let him get the loan from them without going through all your special agents, which puts a hidden tax on to the cost of borrowing that money. This is what is taking place in the Province of Ontario. A different approach has to be taken to it.

With private lenders people don't go through two or three hands to get money. They go through one party. Perhaps I have to assess it this way: As soon as the government gets involved in it, the cost can go sky-high. He'll pay for the rest of his life, on a 50-year mortgage, as long as the government is involved in it; and I think this is wrong.

Perhaps if you went back to the 25-year mortgage, to the 25-year club, it would probably be better for us today. We wouldn't be into this inflationary spiral which the government has caused through this type of a programme. It's time the minister took a good look at this. Cut out the red tape, cut out all these fringe benefits to your associates and the developers and give the homeowner a break if you really want to do something.

Mr. Chairman: Does the minister want to reply to this?

Hon. Mr. Irvine: Yes, Mr. Chairman. The member has brought up various points which I feel have to be answered to get this HOME plan in its right perspective. Right now what we do it we have three appraisals for every purchase that is made through OHC; two independent appraisals and one appraisal by our own OHC staff—

Mr. Singer: Like in South Milton.

Hon. Mr. Irvine: —on the lands that are purchased for HOME or for senior citizens' accommodation or for rent-geared-to-income accommodation. In your particular municipality, I am not aware of the actual circumstances. You should be. You say you are not in agreement with your municipality. I think this is where some of the problems lie in the cost of housing.

Mr. Haggerty: I didn't say I wasn't in agreement, Mr. Chairman.

Hon. Mr. Irvine: Didn't you?

Mr. Haggerty: I said I didn't want to slight them in any way.

Hon. Mr. Irvine: What else did you say? I am sorry.

Mr. Haggerty: I said I had every confidence in their judgement.

Hon. Mr. Irvine: Well, you can't have it both ways.

Mr. Haggerty: I don't want it both ways. I have every confidence in the council.

Hon. Mr. Irvine: I thought you were taking issue with your municipality.

Mr. Haggerty: I am taking issue with you.

Hon. Mr. Irvine: I couldn't hear you. Would you repeat what you said because I couldn't hear?

Mr. Haggerty: To make a reply to your comments, you said there is an appraisal given and I said that to my knowledge there was no appraisal given of the land values in that area. I have talked to real estate persons in that area and they have indicated to me that to their knowledge also no appraisal was given. The other real estate agencies had property available for housing; I can say this much, almost a stone's throw from the property that was purchased, land was avail-

able which you could have bought cheaper than that.

What I am saying is that when you get into a scheme such as this, if you are going to do it, deal directly with the municipalities. Why must you bring a developer into it and let him walk off with $25,000 profit on an acre of land? That's a ripoff at the expense of those persons who are going to purchase that property and it is at the expense of the taxpayers of this province.

OHC isn't going to make a profit off it, so why should the developer come in and reap the profits off it? That's the point I am making.

I said you have got a lot to learn, if you go back some 30 or 40 years ago and look at the programmes we had for wartime housing. It solved the problem of a housing crisis at that time and those homes are still standing today. Some of the owners have made vast improvements on them. The old saying is: "A home is a man's castle."

Mr. Chairman: Has the minister had enough of the member's speech repeated now?

Hon. Mr. Irvine: The point I wished to make was that the purchase of the property, if it is by OHC, has to be with the approval of the municipality. This is what I thought the member was taking issue on, that he didn't agree with the municipality's decision that we should purchase lands in that particular area. As to the point of the profit, I say again that the method we use is that appraisals are made on the lands that are purchased. So I don't see that there's a ripoff there—

Mr. Haggerty: Do you say $25,000 in that area isn't a ripoff?

Hon. Mr. Irvine: I am not saying there was $25,000. You are saying it. I am saying that I don't believe there is a ripoff in any area where we go in with the HOME plan.

What I want to also remark on is the fact the mortgages are 50 years at the present time—because of the high rate of interest. We are not the ones responsible primarily for the high rate of interest. It is the federal government's responsibility to lower the interest rate to where it should be by curbing inflation. We have entered into a limited dividend programme at eight per cent but we have also subsidized housing where necessary, as far as we can with our limited resources. The federal government has much more resources than us and has not provided us with the funding that's necessary.

Mr. Haggerty: Have you no scheme in the Province of Ontario—let's take ODC. In the past you've given interest-free loans, haven't you? I think their interest at the present time doesn't amount to 11 per cent or 12 per cent, as it is to purchase a home today. You are giving a preferred interest rate of, what?—eight per cent or something like that?

Surely, if you can give it to one segment of society you can give it to the other. It's as the member for Grey-Bruce said; there are two types of socialists, the rich and the poor, and you've certainly defined it.

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Thank you. I'm going to be very brief because I want to touch on something I spoke about last week, but I want to make a point with the minister about it. On Monday last he answered a question that I asked about a week ago, and he said that he wasn't contemplating any changes in the lottery which he proposed to conduct in January, I believe, of this coming year, for homes that will be available in the immediate Hamilton area, the Saltfleet satellite city area.

I want to make one last plea to you to make some changes, because there are some changes which are absolutely necessary if you're going to restore public confidence in the lottery. Obviously, the people who got homes are reasonably happy. They weren't happy before they got them; they weren't happy with the way the lottery was conducted before their names were drawn. Many of them are honest enough to say they would have preferred it had been changed, but now that they've got the home they won't want it changed for that lottery, and I don't blame them. Okay? But I think from now on, for the next lottery there are a few things you should consider.

You answered one letter from a Mr. Murray, stating that it would take something like a year, or a year and a half, for all of the names to be drawn if they drew all 713 and gave them a choice. I want to give you a technique which may well work and which would eliminate the problem.

Why would you not ask the person to list on the application form in order of preference the builder and the type of home from the selected builders? Then, as the forms are drawn, there will be a board on the wall. And as they are drawn the forms say: first choice, builder X; home type, Y; price, what-

ever. Okay? And that's marked off all the way through as you draw them.

It would take no longer than the current system. It wuoldn't require then that there be any contact between builder and applicant to the extent that there has been in the past. And it would give everyone a chance—one in whatever the total number of lots were that were going to be drawn.

If their first choice wasn't available, their second choice would be checked on the board. If that were not available their third choice would be checked on the board; if that were not available their fourth choice would be checked, until each of the choices had been checked off and they were allocated to a builder and allocated the home that their number was drawn for.

Surely that would make sense and it wouldn't take a year for it to be accomplished. It could be accomplished in the same length of time as it took to have the original lottery—perhaps an extra two or three hours at the very most. I think that that could be done with no difficulty at all and we wouldn't be faced with the kinds of problems that we're now faced with.

Let me just quickly go through what I see as the problem areas, okay I think that the narrowing down the choice from the choice of a total number of lots to the choice of the number of lots allocated to one single builder severely inhibits the opportunity for a great many people to get a home at all. It means that rather than having one choice —in this case one choice out of 713— they may have one choice in 56, one choice in 43, one choice in 80, or whatever.

And we could have a repetition of what occurred in this recently passed lottery. That is, a particular builder didn't have a sufficient number of applicants for the lots that he had available. That because people had to choose and they chose other builders. I want to stress on the minister the majority of people who applied in that lottery—99 per cent, I would venture the opinion—were perfectly happy to accept any builder. All they wanted was a house.

I want to say that I think the suggestion I've made would fill the bill; it wouldn't create any great problem administratively and would certainly give people a far greater range of chances in the lottery.

I want to suggest too that the next time there be a restriction on the area from which the applicants will be accepted. It's unreasonable, from my point of view, to hold a lottery in Hamilton which is intended to satisfy the housing needs of the people in the immediate area, and have people from Ottawa have their name drawn; have people from Toronto have their name drawn. I think that we should define the area much more clearly and we should make the draw on the basis of trying to satisfy an immediate housing need for people in the area in which the houses are being built.

I think further that to whatever extent it is possible—and this requires some discussion I think—the homes should be restricted to first-time purchasers. I think that that is one of the things we may have to iron out some problems with. But I think to whatever extent that is possible, that priority should be given to first-time purchasers.

I want you to concern yourselves particularly about changes occurring in the method of conducting the lottery during the period while the lottery is in effect. In other words, after the date when the lottery is started to the date when it is completed and the draw is made, there should be no changes other than those which are approved specifically by the ministry. I think that you are going to have to have a much closer look at single persons applying and having their names drawn.

Now you are familiar, I am sure, with one or two cases in Hamilton—one in particular—which has gained some notoriety of a young man having his name drawn for the lottery. He and his fiancé, who intend to marry sometime in May or June of next year, had applied jointly, I presume. But they didn't, in fact, comply with the regulations. Their need, great though it is, is not comparable to the need of many of the others. There are those living in rooms and living in substandard accommodation who have families, and can't possibly have a home, or get into accommodation of their own. I want to come back to that point in a moment.

I want to urge that whoever is going to be giving out the information about a lottery, be briefed to the greatest extent possible in order that there will be no misinformation given out about the lottery. The last time in Hamilton there was serious misinformation given out which caused some considerable concern, and may well have resulted in certain people not getting an opportunity to acquire a home.

I want you to concern yourselves about the workmanship of those builders who are, in fact, involved in building under the HOME programme. I really feel, as I stressed with you some time ago, that we have to have

more inspectors maintaining a high level of quality.

We all appreciate that a person can't expect to get a Cadillac for a Volkswagen price, but I think you can expect to get a well-built Volkswagen for a Volkswagen price. It is a very large investment for those people. It may well be cheaper than the private market, but the investment of their life savings is to them as great as the investment of anyone else's life savings. For many of them they are investing a great deal of their income. They can expect, I think, to get decent workmanship; they can expect that the builder will fulfil his obligation to them in terms not only of building a home of reasonable standards, but also of repairing or bringing up to standard anything that is in the home that may have been either overlooked or done in a less than satisfactory way.

I really do urge you to impose upon the builders a much more serious examination; that you have inspectors in the area to check out the development as it goes along, and to identify the inspectors for the benefit of the purchasers in order that they can make contact with them.

These developments are very large. We have got over 1,000 homes being built in the Hamilton area under the auspices of the HOME programme. That would justify a number of inspectors being there. One inspector, two inspectors or three inspectors couldn't possibly inspect all those homes at the time the development is taking place.

I want to tell you about a couple of things that have upset me about the way in which the lottery was conducted. I have had brought to my attention that the advertisements in the newspaper were inaccurate; that they did not convey factual information to the prospective home purchaser. For example, on at least one occasion—and there may be others—it was indicated that the builder had considerably more lots available to him than he actually had. One, for example, showed that there were 25 lots available to Settlement Corp. when, in fact, there were only five. People, had they known that there were only five, obviously might have chosen another builder, but they went to Settlement.

I know an individual who was chosen sixth for a single-family home and discovered after he had been chosen that of the five—not the 25 that he thought Settlement had as a result of the ad in the paper—only three of them were actually available for private purchase because, in fact, two had been allocated for rental purposes to Ontario Housing Corp. So he was drawn sixth and thought he had a home. When he was called by Settlement, Settlement said: "We've got some attached homes ready now. Would you like one of those?" He said: "No, I'll wait until May for the home that I thought I was going to get."

Then, some time later, he was informed that the ad was wrong and that he wasn't going to get a single-family home. In fact, he had turned down the opportunity of one of the other homes and the likelihood is that this young man and his wife and family are not going to be able to get a home at all, although their number was drawn sixth.

Another situation that was brought to my attention was that people received, on Friday last, a letter from the National Trust, which handled the lottery, informing them that they had been drawn and that their builder was whoever and that he would be in contact with them very shortly. The builder called that very night and said: "Meet me in the morning." He showed them the home and said: "You've got 48 hours in which to decide." You and I both know that over the weekend there was no opportunity for them to go to the bank and make arrangements. There was no opportunity for them to take the documents to their lawyer for his advice, and yet they had to advise that builder by Sunday night or Monday morning at the latest whether or not they accepted the property that had been offered to them.

Builders are telling people that they don't have a choice. They're being shown a lot, shown a building completed and told, "That's yours." That's not the way the lottery was intended to be conducted. I know it and you know it. It was intended that the people would be given a choice of what was available within the range of what they had asked for, according to the number that was drawn, according to their priority on the list. That is not being afforded to people as it should have been afforded to them.

I think that those things can be changed. They're not sort of fundamental changes to the lottery system; they're not the sorts of things that will destroy the lottery in any way; to the greatest extent they're probably matters of administration that would improve the relationship between the HOME programme and the prospective purchaser.

I think that the builders tend to look down on the people whose names are drawn. I'm going to be quite frank with you about it. I think they tend to treat them in a shabby

way. Their attitude toward the people is not the kind of attitude that they would have if they were out peddling their houses on the market. They know that they've got a captive market. They know that these people are desperate and their attitude toward them is, in some instances, disgusting. I think that you've got to talk to those builders about shaping up a little bit with regard to their purchaser-seller relationship, because they're taking advantage of the situation that they're in to bully people and it's wrong.

I don't want to suggest that all builders do that, because I can't do that honestly, but I can tell you that I've had a number of complaints.

I might tell you something else—the complaint that I had in that regard about one builder, I also had the last time he was involved in the lottery. I had to talk to him personally about his attitude toward one family in the last lottery, and I think that his attitude toward people needs a real change or else he should go peddle his wares in the private market, because we don't need him that badly.

He's making a reasonable living out of the HOME programme, I would suspect—maybe not a killing but a reasonable living. It is certainly providing him with work when there may not be other work available for him. I think he should be grateful he's in the programme, rather than thinking he is doing somebody a big favour. Those people are citizens of the province and they are entitled to respect in that regard.

There are other things, but I'm not critical of the programme in general. Given all the range of possibilities in terms of the way in which it might be handled, this may well be the most satisfactory way.

It may well be that the lottery does afford a better opportunity. But I think for the things I've mentioned and a few other things I will talk to you about again privately—because I'm not going to take the time of the House—we could make it better, more equitable and more acceptable. We could treat people better. We could ensure their opportunities for obtaining a house are greater than they are at this point, by the system that I suggested.

You may argue with me that it will take a little longer. Okay, it may take a little longer. Given that there are some two or three weeks between the time the lottery is conducted and the time the notifications finally have to be sent out, and given that people would have a much wider range of opportunity, I'm sure they would be prepared to wait an extra week in order to get the thing done properly.

I'm really concerned because there are so many people involved. I might say to you, Mr. Minister, I have worked very hard in support of the system. I don't want anybody to labour under any misapprehensions about my role in it. My role was not destructive at any time. In fact, I devoted a lot of time to advising people on how they can apply, advising people on what they should do and answering to them for the sins of the system. I may suffer for that someday, but that's beside the point, because I want to see it work.

But I also want to see it work more equitably. If you can make those changes, I think they make sense. They'll improve the confidence of the people in that particular kind of operation by 100 per cent. You'll be able to walk into Hamilton and to talk to those people and they'll be happy to see you. When you run your lottery again, they'll recognize that while they may not ever win and they may not acquire a house through that particular lottery system, at least it is run as fairly as is humanly possible.

That's what we have to strive for. I really do urge you to consider seriously making those changes, even at the expense of a little time.

Mr. Chairman: Does the minister wish to reply?

Hon. Mr. Irvine: Mr. Chairman, I will reply very briefly because we've gone somewhat through this before. I would like to say to the member for Wentworth that I share his concern that the lottery system is as good as possible. If what he has suggested will improve the system, we'll certainly consider it for the next draw. I have said I will put it into a standing committee to find out if we can even improve that system. I'm quite willing to make any changes necessary in any part of our ministry if we can improve. I have to be convinced that we will improve the system, first of all.

As far as the builders are concerned, if the builders are not adequate I would appreciate receiving the name or names of builders you feel in the past have not performed. I believe they should in all cases have been checked out in regard to their capabilities of providing the house that was designed and was accepted by the owner. If they are not fulfilling the obligation which they have, not

only to our government but to the owner, then certainly I want to know about it.

Mr. Deans: Just one point and then I'll speak no more about it—I mean not today. I think the method of communicating with the perspective purchaser is bad. One of the builders called in the daytime to a house where a husband and wife were away working. They finally called the builder to find out what was happening. He said, "I've been trying to get you. Your number has gone by now. I've given it to somebody else." Damn it all, that's no way to deal with people.

I mean their number was drawn. They were entitled to receive a letter from the builder saying, "I am attempting to contact you." Just as he has a business to perform, they have to work in order to live. They can't sit home and wait for him. He should have understood that, but he didn't seem to. There's a tremendous communication gap.

One thing I meant to say, and I must say to you—and I don't care if it means expanding your ministry for a week or two and putting in a new person—is that I want you to please check every single person who was drawn to make sure that each of them is eligible. Okay? I don't care how it's done. I don't care what procedure you have to go through. I want you to go through every single application to determine the eligibility of every person whose name was drawn and to make sure that each one is eligible to be part of that lottery and to obtain a home.

I've been telling people that just by virtue of getting your name drawn, doesn't mean you've got a home. That only means you are eligible to go down and fulfil the obligations and legal requirements; and if you do that, then you've got a home. I've been telling those who were successful and those who weren't: "Don't for a moment think you've got it simply because your name was drawn. What you have is a priority number which entitles you to a home, provided you fulfil all of the obligations and legal requirements."

I ask you, for heaven's sake, don't let them come back in two or three months and say to me or to you that Mrs. So-and-so down the street wasn't eligible and it was obvious. Please make sure that they are eligible. If they are not, it will destroy the programme much more quickly than any other single thing.

Hon. Mr. Irvine: Mr. Chairman, the rules of eligibility used in every other draw were the same as those in Hamilton; and they certainly have worked in other places. I did say that there were mistakes made in the previous draw. We are going to ensure to the best of our ability that there are no mistakes in the next lottery draw in Hamilton. It's unusual that this has happened in only this one area, because we haven't had complaints in other areas. I regret that we have a problem, if we have one, in your area—

Mr. Cassidy: No, they exist in Ottawa as well.

Hon. Mr. Irvine: —but we will endeavour to correct the mistakes that were made in the last one and I will guarantee you that those people will be eligible.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Chairman. I want to bring to the attention of the minister the acute need for housing in certain categories in my own area.

In the field of family housing, Mr. Minister, the ministry has given a creditable performance. For example, in 1972 there was a need for 984 housing units; you provided 652 in that year. But as requests kept coming in during the course of the year, you still ended up at the end of the year with the need for 949 units. In 1973 you provided 690 units and ended up with 452 still needing accommodation. You have progressively whittled that down with the provision of housing, and it is really appreciated.

But you could show improvement in the provision of three-bedroom units, Mr. Minister, because as of approximately Dec. 1 of this year, there was still the need for 415 family accommodations.

As you can see, Mr. Minister, I am trying to show that you have done a good job there, but there is still room for improvement—and there will always be room for improvement. But in one area you haven't done as well, and it does disturb me very much, because it's that segment of our society least able to fend for themselves—the senior citizens.

You have provided accommodations in co-operation with the city and the federal authorities. We appreciate that very much. But the numbers do not diminish as they do in family accommodations, where you started with 984 requests in January, 1972, and you've got it down to only 415 requests as of December, 1974, whereas in senior citizens' housing it is approximately the reverse of that, Mr. Chairman, in spite of having provided accommodations. For example, in 1972

there was the request at the first of the year for 1,164 senior citizens' accommodations—be they in row housing, in apartment complexes, and so forth; I am simply stating a total request.

Now, during the course of the year, Mr. Chairman, the government was able to provide for only 45 senior citizens to be accommodated. That is in the whole of the year 1972. We started with the need for 1,164 units in 1972, and by the end of the year we had the need for 1,184 units. You did provide accommodations for 45, but that was only because that many senior citizens passed away who had lived in the accommodations. You are only providing approximately four units per month; and that is as a result of deaths.

In 1973 we started the year with the need for 1,184 units; we ended that year with 1,081 units—even though you did build a complex that accommodated 375 senior citizens. You did that; and we still ended up with a shortfall of 1,081 units. During the whole of 1973, 49 senior citizens were able to get accommodations in the government housing in the community.

Now, in the year 1974, Mr. Chairman, 73 were able to get accommodation. That is a result of the mortality factor, rather than the provision of accommodation.

I know the minister has plans in mind to complete approximately 600 units. I don't think any of those will be available in 1975. If there are any available, it'll be quite late in 1975.

As I said earlier, we appreciate it; you are doing the right thing in providing accommodations. But you are not going quite fast enough at it. We certainly would like to see you accelerate the programme, if it is possible. In my estimation, it is possible.

One of the parts of this whole exercise that I am going through, Mr. Chairman, is the fact that you really don't know in the community what the need for senior citizens' housing is. You really don't know if all of the people who have requested senior-citizen housing actually need housing. Of the 1,164 senior citizens at the end of 1972 who had their applications in for senior citizens' housing, 980 of them were not investigated. And that disturbs me—980 were not investigated.

When it comes to family units, your percentage of investigations is about 50 per cent. That's fair, that's acceptable. But it isn't acceptable in requests for senior-citizen housing.

I can't blame your officials back in the community, because I think they are understaffed and overworked. Were you to come along and provide additional investigative personnel, then they could actually estimate whether the requests for housing are valid or not.

In the year 1973, of 1,184 requests, 995 were not investigated at the end of the year. And during 1974, of the 1,081 who had requested housing, 830 had not been investigated.

So you see, Mr. Minister, you really don't know in the community the number of people who genuinely need senior citizens' housing. However, there still is an answer to the problem, and it isn't necessarily the building of a lot of senior-citizen highrise complexes. To me, a vastly expanded rent supplement programme could provide an answer while you programme the development of additional senior-citizen units in the community. You could provide the rent supplement programme by going right into the commercial market.

There is nothing wrong, in my estimation, with providing a senior citizen with a supplement if he lives in a private home. You could very easily, through your officials in the Windsor Housing Authority, investigate the home, investigate the landlord, and find out if the landlord would be willing to accept a certain rental. Then you, in turn, would charge that individual the same rental as you charge him when he lives in one of your senior-citizen complexes.

Mr. Minister, it isn't really fair to the senior citizen who goes into the commercial market for housing to have his gross income reduced by approximately $75 a month, because the individuals living in senior-citizen housing in my community have their rents supplemented—or subsidized, I should say—by our ministry and the government of Canada to the extent of approximately $70 to $75 per month. So an old-age pensioner receiving GAINS and getting $227 a month really is getting $312 a month because you are supplementing his income by $75 a month by paying for his rental When the other senior citizen, who lives in the commercial rental market, has to pay $125 instead of maybe $50 a month, you have lowered his standard of living substantially.

It really isn't fair. I think you should treat all alike: where you subsidize one, then you can supplement the other so that they are on par. I would respectfully suggest to you, Mr. Minister, that you do look at a

widely expanded rent supplement programme. You have no units in the city of Windsor under your rent supplement programme, I was told by your officials back home when meeting with them—if I am not mistaken—in either August or September of this year. I would certainly like to see you get into that market to give these senior citizens at least a fair shake so that they can have the same standard of living as those who live in the geared-to-income housing.

We appreciate what has been provided for those who are in that housing accommodation, but we would like the other group who are penalized to have a rent supplement to put them both on an equal level. Please consider that, Mr. Minister.

Vote 804 agreed to.

Mr. Chairman: That completes the supplementary estimates of the Ministry of Housing.

SUPPLEMENTARY ESTIMATES, MINISTRY OF REVENUE

Mrs. Campbell: Where's the minister?

Mr. J. R. Breithaupt (Kitchener): Perhaps it might be convenient to proceed with the Minister of Agriculture and Food's estimate if the Minister of Revenue (Mr. Meen) is not available.

Mrs. Campbell: Here he comes.

An hon. member: He means business.

On vote 904:

Mr. Chairman: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Chairman, I would like to say a word on this and the GAINS programme, which is the purpose for this additional $11 million being asked for under this programme. In my view it has a flaw which I think it is very important to bring to public attention.

As you know, Mr. Chairman, the requirement here is needed to bring the level of senior citizens as well as other disabled persons, who are in receipt of the guaranteed income supplement, up to a level which is designated by the provincial government. We debated this thing at great length at the time the programme went hrough, and he provincial Treasurer at that time was not ready to allow that the provincial amount would not be affected if the federal amount did increase.

Well, we know that on Oct. 1 the federal amount for both old age pension and for guaranteed income supplement did increase, and I for one am happy to note that the provincial government did not reduce its amount by the amount that the federal government did increase, as it had first intended.

But, Mr. Chairman, there's an important thing here that I think must be stressed. That is, that the many thousands of senior citizens who have a limited amount of income —so that they are not in receipt of the total guaranteed income supplement but are in receipt of a partial income supplement—do not benefit from the GAINS programme if they are able to generate additional income from what little capital they still have left.

This was demonstrated to me very forcibly by a senior citizen who discussed the matter with me, as to the investment of a small amount of money that she had, whether or not she should renew government bonds with it or buy a guaranteed certificate at a trust company, or just how she should invest it, because she wanted to get the most income she could from that. She asked, "How will this affect my GAINS programme payment?" Well, I began to do some figuring, Mr. Chairman, and it soon became evident that whatever increased income senior citizens get from their small amount of capital that they may still have remaining, they will lose that increased income to the provincial government in its GAINS programme.

The federal guaranteed income supplement is reduced by $1 for each $2 of income that a senior citizen has per month. The other dollar, Mr. Chairman, is taken away by the provincial government if that senior citizen increases his or her income by an additional dollar. I just don't think this is the right approach. I think we should be encouraging our senior citizens to handle what little money they still have in a prudent manner, in a manner following good investment principles, so that they are not penalized by having any additional income that they can derive from what money they have left taken away from them under this GAINS programme.

I spoke briefly on this matter in committee when the Minister of Revenue's estimates were before the House, and his officials assured the minister at that time that that was the case. I wonder if he is giving any consideraion to correcting what I think is a situation which is demeaning to the elderly

and completely takes away any incentive to handle their money in a businesslike fashion.

Hon. A. K. Meen (Minister of Revenue): Mr. Chairman, this, of course, is a problem with income levels that are at the level of, initially, $2,600 or $2,700 for a single person. I can't speak for the Treasurer, but I can say that I recognize the problem.

I had the pleasure the other evening of meeting a gentleman who had written an article in the paper, and perhaps the hon. member has seen it. The heading of it was, "Would You Work if Your Income Were Taxed 100 Per Cent?" I made an observation to this effect, and the gentleman standing in the group in which I was having this little discussion said, "Well, I'm the fellow who wrote that article." That was Mr. Clare as it turned out—Mr. James Clare—and I wound up having quite a spirited discussion on the entire subject

It is a problem we face in any case where we have the philosophy of trying to bring people up and to enrich their income to a particular level When you hit the subsistence level at $2,700 a year, or exceed that, then, of course, you drop out of the assistance category, or the area in which you would gain some assistance. I can't honestly say to the hon. member that I, myself, am looking at other ways to do this. I would expect that Treasury and Economics recognize this problem just as clearly as does anyone else.

The OAS-GIS schedule, as the hon. member mentioned, would disentitle the individual to 50 per cent of the assistance they got as represented by the increase in their income.

The basic principle of the GAINS programme is to provide this assistance. There is the cutoff point, and when you hit that cutoff point, indeed you tend to get what appears to be an iniquitous situation. If the person through his own means, and I would certainly never discourage anyone from doing this, is able to raise his own level of income above that particular figure, then he would not qualify for assistance.

Remember too, that the amount of money the province has available for all the various areas in which we wish to extend assistance, whether it be to municipalities or wherever, is not unlimited. The original budgeted figure of $50 million, as indicated by the supplementary estimates, has turned out to be somewhat on the light side. Perhaps the Treasurer in his wisdom at some later time will find that there are no other ways in which he can enrich the assistance still further.

For about the third time, I guess, it is fair to say that I recognize what the member for Waterloo North is saying about this problem and I wish there were some simple answer.

Mr. Singer: Mr. Chairman, I wonder if the minister could tell us the extent to which he is in contact and in liaison with his colleagues. I brought to the attention of the Minister of Housing the other day the plight in which a constituent of mine finds himself.

He is now in receipt of the GAINS grant of $6 a month. He lives in Ontario Housing. When Ontario Housing heard about that they adjusted his rent upwards by $10 a month, but they threw in the cost of the hydro. The arithmetic shows that he is now 50 cents behind the deal.

Fascinatingly, the gentleman's name is Handleman. He is not the same gentleman who shares the front benches with you, but he lives in Ontario Housing in Lawrence Heights.

He is a little puzzled as to the benefit that he is really getting. He gets $6 from GAINS, his rent from an Ontario Housing unit goes up $10 a month, but they throw in the hydro, and he ends up being 50 cents a month further behind than he was before he got the GAINS money.

Hon. Mr. Meen: Mr. Chairman, I think I heard the hon. member for Downsview express that point to my colleague, but I must say I haven't reviewed with the minister (Mr. Irvine) the question of what happened to this individual. It sounded to me at the time as though it was more a problem under the schedule of rent adjustments applicable under the Housing Corporation and Housing Ministry principles than under my own ministry.

Mr. Singer: Would the minister not agree that the object of the GAINS programme is to put more money in the hands of people who need it?

Mr. J. E. Stokes (Thunder Bay): You would think so.

Mr. Singer: Yes, that's your whole object.

Hon. Mr. Meen: I don't disagree with that, the principle being to get into the hands of our senior citizens a minimum somehow or other, through their own means and our own, of $2,700.

Mr. Singer: That's right. Then would it not be logical there be some kind of checkout programme to see exactly whether or not the beneficiaries really benefit or whether they are really being put into a deficit position?

Hon. Mr. Meen: Mr. Chairman, we are not getting involved that deeply in the way in which our clients, as we call them, spend this money or how it is used to help them keep body and soul together, but rather the money is paid out to them. It is not welfare; it is an entitlement to them when they are at this level, and so we don't go digging into how they spend it, whether wisely or foolishly.

Mr. Singer: It is not just a question, Mr. Minister, of how they spend it. The question is the right hand giveth and the left hand taketh away. The left hand is taking away more than the right hand is giving, and I think that is wrong.

Hon. Mr. Meen: I heard the hon. member point that out to my colleague at the time.

Mr. Chairman: The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Yes, as we know, Mr. Chairman, the old age pension and supplement is tied to the cost of living index. Every three months or so it rises and the pensioner has a little higher pension and supplement. I'm not sure, but I don't think that the GAINS programme at this point is so indexed. If I'm wrong, correct me.

If it's not indexed, are you doing any studies or proposing to do so? Because if you're going to keep the basic amount that you feel people need then, surely, you've got to keep the purchasing power and value of that dollar sort of constant in their hands. I wonder if the minister would comment on that?

Hon. Mr. Meen: Mr. Chairman, I think the philosophy may well be sound. But my colleague, the Treasurer, when he had the bill in the House in the spring, expressed our reluctance about a straight indexing of these provisions. He expressed our undertaking to review, from time to time, and not necessarily in a direct relationship to any inflation factor, the amount of money that the province might be able to pay out to GAINS recipients.

The increase in October was somewhat greater in terms of assistance than an indexing factor would have applied. As I recall, it was 5.75 per cent on top of the other assistance by way of the increase in the OAS-GIS. It exceeded, as I understand, the cost of living index increase that had been experienced in that period of time. So we had not wanted to lock ourselves into that, but rather to give the Treasurer the opportunity to review this situation from time to time.

Mr. Ferrier: Is the Treasurer just going to do that annually? I mean to say, what about the cost of the basics needed by most old people who are on this part of the GAINS programme—food and that kind of thing? In a sense, these items are going up disproportionate to some of the other items in the cost of living. If the federal government gives a little more and you take away; or you remain constant, then—

Hon. Mr. Meen: Mr. Chairman, so far we haven't taken away anything. Subject to what the member for Downsview might say about the policies of the Ministry of Housing and what it might have to do in the subsidized housing area, we have been passing on everything—

Mr. Stokes: You are talking about the left hand.

Hon. Mr. Meen: —that the federal government has given in October. We passed that on and we enriched our own assistance as well—so we have not taken away anything. Mind you, I suppose it's fair to say that that option could be available without the indexing provision, but I can imagine that we would not want to do that. We demonstrated with the increase in October that we were prepared to pass on the entire amount of the increase—and, indeed, supplement it ourselves with further assistance.

Mr. Singer: I don't think Mr. Handleman can afford much more of that generosity.

Mr. Ferrier: Just one final point. Can the minister give us any indication of how often the Treasurer proposes to review this and to make adjustments? Is there any mechanism, or is it just as he reviews his spending estimates from time to time that he will make that decision on this matter?

Hon. Mr. Meen: Mr. Chairman, I think the Treasurer would be the one to give a more definitive answer to the question. I suppose it's obvious enough that as long as the federal government continues to review its OAS-GIS payments on a quarterly basis, that probably the Treasurer would take a look at it as frequently as that—and, perhaps, more frequently. That is not to say that he would

make a change in policy every time. But I would expect that he would look at it as frequently as the OAS-GIS percentages and amounts are adjusted.

Mr. Chairman: The member for St. George.

Mrs. Campbell: Yes, Mr. Chairman, I would like to recall to the minister the kinds of discussion which, I think went on in part in this House—although the GAINS programme in toto was a very confused kind of debate because we were, in fact, debating in other estimates part of the GAINS programme without knowing what it was.

What is of concern to me is, I see here these salaries and wages, I see building into this ministry one portion of the GAINS programme. I wonder if the minister could tell me not only is there any kind of cross-referencing, such as indicated by my colleague from Downsview, but is there any overview of this programme as it presents, or would appear on occasion to present, inequities between the two types of recipients, the elderly and the handicapped?

When the minister suggests that he doesn't investigate how people spend this money—and this is, of course, the senior citizens exclusively, as I understand it—does he not have some concern with the fact that they have very little opportunity to object to or to take a position on the increases in the rents which come about, not just in the Ontario Housing—that surely is something he can talk about—but as they come about in the private sector by reason of the increases of these moneys? Could he not, with the other ministers involved—Housing, Community and Social Services, Health—recognize the fact that in many cases this is not as meaningful as it might be?

There are discrepancies in the case that my colleague gave, but if you discuss with the Minister of Health (Mr. Miller) the problems of those in nursing homes who have lost even more as a result of the GAINS programme, I am concerned that we are developing separate units to deal with, overall, virtually the same subject. I don't think there is anything in what we are getting now—the explanations are not clear in the Ministry of Community and Social Services—to really indicate whether any portion of this refers to the GAINS programme as well, because of the handicapped.

I'd like to understand that we are not building in an administrative unit in two ministries to cover the same essential type of programme, and at the same time having no concern about the fact that we are in some cases simply distributing from the Ministry of Revenue to the Ministry of Housing or to Ontario Housing the moneys which really don't go to the people at all. We have no concern, I take it, with the fact that these people, in some cases which have been brought to my attention, have simply had automatic rent increases in the private sector. We have no concern that the government's own action in the health programme in the nursing home situation is simply to drop its financial participation, increasing the individual financial participation of the senior citizen.

I would like an explanation as to just where the minister stands and if it is possible for him to let us have the benefit of any kinds of discussion that there may have been, or at least advise whether there has been any discussion, between all of these ministries dealing very much in the same field?

Hon. Mr. Meen: Mr. Chairman, the Ministry of Treasury and Economics is really the co-ordinating centre for all of these. The fiscal end of Treasury and Economics is the one that first works up the amount of money which it is felt, within budgetary restraints, can be used in this area.

There is, so far as I see, no significant overlap of responsibility or functions between my ministry and Community and Social Services. For example, when there are people under age 65 who are being assisted through Community and Social Services and they attain age 65, those names are moved into my records in my ministry.

Mrs. Campbell: I am not worried that you might give them too much.

Hon. Mr. Meen: We are trying not to duplicate a service. The 270,000 or so who are on OAS-GIS, and from whom we got the initial figures—well, we didn't get them; they were only very rough figures that we had from the federal government in the spring when the original estimate of some $49.3 million for grants for the fiscal transfer payments was obtained—continue now to provide us with updates through their information about the people coming into the GIS end of the spectrum.

Our mechanism is really the information service that looks after queries from all quarters of the community, be they blind and disabled, who are wondering whether they are entitled to qualify. We would screen those inquiries and probably pass that information along to Community and Social Services, because—

Mrs. Campbell: I thought I was doing all that myself.

Hon. Mr. Meen: —if they qualified they would receive the assistance, but if they didn't qualify by way of income there might be other assistance that Community and Social Services could provide to them. For example, if they aren't completely blind or they do not qualify within the definitions by Community and Social Services, then there may still be some other way in which they could be aided. That kind of function is where Community and Social Services, through its field workers—and I don't have field workers in the Ministry of Revenue to get into this kind of thing—would go out and determine whether some other kind of assistance was necessary.

By the same token, when you are looking at housing, the Ministry of Housing's policies contain certain schedules of rental which I suppose are based on the needs and incomes of the tenants. If we enrich some assistance through GAINS to a particular individual who is living in a rental accommodation of the housing corporation and, as a result, he is moved into another category, he then becomes responsible for paying more rental—to come back to the point made by the member for Downsview—it's really something in that ministry rather than in mine.

Again, although we try to have some co-operation, remember that what this programme does is maintain a level of income. We endeavour to co-ordinate that function of course, with Community and Social Services, with Health and their drug plan and so on. Treasury itself is involved as the co-ordinating agency and the funding agency, for that matter.

Still, there are other ministries, such as Housing, with whom I think it is fair to say that I have not had any direct liaison to determine what might happen with a particular GAINS recipient if we were to raise his level. His level would be raised because his income drops or perhaps because we raised the ceiling, as we did, from $2,600 to $2,700.

There may be instances where a private lessor decides that his tenant, to whom he may have been giving a break—although there aren't many lessors who give breaks to their lessees these days—but he might have given him a break, and he might decide, for whatever reason, that he could then justifiably and in his own conscience require an increase in rental that was being paid. To repeat, my ministry does not get involved in determining the needs of these individuals. If they are still in dire straits I would say that it would be the Ministry of Community and Social Services which would then have a field worker on the scene to determine what, if any, additional help could be made available.

Mrs. Campbell: Could I ask a supplementary question? One of the other concerns I have is that it seems to me that we may be in danger in the programme as it affects the handicapped, when the lines seem to be so very finely drawn, that perhaps we are looking at the dollar figure in this programme in the same way that we have, I think unfortunately, been looking at a maintenance programme or sustaining programme, or whatever it's called—I forget now—in Community and Social Services. Again you have this determination that somebody who is 64 years of age—In one case a person who was in his 60s was blind, had lost most of one leg and part of a foot, and was not considered at the first blush to be disabled, but was regarded as unemployable, even with the blind provision in there. This had to be then worked on by a member of this legislative assembly, and there didn't seem to be anybody up there who was really working on that kind of problem.

If all you are is the sort of "CMHC friendly banker" in all of this, then I am worried that you may yourself, inadvertently perhaps, be having a serious effect on the recipients by the way in which the dollar is allocated to the programme.

Hon. Mr. Meen: Mr. Chairman, I know my colleague, the Minister of Community and Social Services (Mr. Brunelle), has been looking over the last few months at this distinction which his ministry does draw between the blind and the disabled on the one hand and the permanently unemployable, who many of us, I think, might be inclined—in isolated "for-instance" type cases—to consider to be, for emotional reasons or whatever, unemployable and in that sense disabled. I know my colleage is very sensitive to that point and has been looking at it very seriously.

Mr. Ferrier: It is a distinction he cannot justify and you cannot justify.

Hon. Mr. Meen: I am not trying to justify it, Mr. Chairman, because I simply don't pretend to know enough about the factors that go into this matter when Community and Social Services have drawn this distinction. I suppose it is fair enough to say that I presume they have drawn it for some very good reasons, but I also know that they have been

looking at this, and if it should happen that they were to change that definition, I expect it would automatically reflect into further moneys payable then through the GAINS programme to whatever we then called the blind and the disabled or the permanent unemployables or whatever, because it is intended to assist that same general area of people.

I think it has to be remembered that since those people are under 65, in many cases, they are not in receipt of any OAS-GIS assistance. It follows, then, that a very substantial part of these moneys flows to that fairly limited, in terms of numbers, quantity of clients. So it would have a profound effect, though I am in no position to tell the members of the committee, Mr. Chairman, just how many dollars we would be talking about if that were to happen. I would expect that if my colleague were contemplating a redefinition he would want to look at and consider with us and with Treasury the fiscal implications, not only through his own ministry in that direct fashion, but also within the GAINS programme.

Mr. Chairman: The member for Thunder Bay. The member for Carleton East is next.

Will the member for Thunder Bay start the debate?

Mr. Stokes: Thank you, Mr. Chairman. I don't have too much to say on this, but I would like to discuss with the minister for a few moments the problem that senior citizens and those who are entitled to some assistance under GAINS have in getting information. I have seen some of the leaflets that are handed out and they leave a lot to be desired in the kind of information that they contain.

Hon. Mr. Meen: Sorry, Mr. Chairman. I got distracted momentarily. Would the member for Thunder Bay repeat the comment, please?

Mr. Stokes: Yes, I am saying the chief criticism I have of the GAINS programme is in the dissemination of literature that tells the client what he or she is entitled to in any given instance. In the ones that I have seen I am still not clear in my own mind. I want to bring to the attention of the minister a specific case of a widow whose total income in 1973 was something in the neighbourhood of $2,200. From what I can gather, a person's eligibility under the GAINS programme is based on the previous year's earnings, not on the current year's earnings, so that they would always be a year behind if, for some reason or other, they had some unusual income of, say, even $300 or $400. Just because they had that unusual income—

Mr. B. Newman: And spent it.

Mr. Stokes: —yes—in 1973, it means they are ineligible to receive the benefits under the GAINS programme in 1974. You have already nodded in agreement, saying that the eligibility in any given year is based on the income for the previous year. This particular person had a small endowment of something like $5,000. If she were to invest this, say, at eight per cent with Guaranty Trust or in one of these term certificates where she couldn't withdraw it for a five-year period or greater, this would mean an income of $400 a month added to the old age security payments and whatever modest income supplement she might have.

Hon. Mr. Meen: She would not get the GIS then.

Mr. Stokes: Pardon?

Hon. Mr. Meen: She would not even qualify for the GIS.

Mr. Stokes: Well, why wouldn't she qualify for GIS as long as the combined income was less than $2,700?

Hon. Mr. Meen: Well, $400 a month wouldn't come within that.

Mr. Stokes: Well, $400 a year. I am talking about investing $5,000 at eight per cent, say, over a five-year period. This individual went down to I think it was Guaranty Trust and said: "I have got this money. What would you suggest I do with this $5,000?" They said: "All right, leave it with us for a five-year period and we won't show any earnings for this amount. It will be cumulative, but not shown."

Now, there has to be a day of reckoning, obviously, after the five years or whatever the term of the certificate was. Is this, in fact, your interpretation of the way it should apply? Because some of these investment houses are leading our senior citizens down the road and creating a false impression in their minds if they are suggesting that they should just leave it there, where the interest compounds and they don't have to declare it, because there is a day of reckoning coming. If it's five or 10 years down the road, all right, it means they are going to have an unusual income for one year.

I would like some kind of assurance from the minister that we can have this kind of information so that we can pass it along to

senior citizens and those who may be entitled to assistance under the GAINS programme. And if, in fact, the situation isn't as I have stated it, perhaps you can enlighten me, because there's going to be a lot of disillusioned and disappointed senior citizens, if they're taking this kind of advice which is not valid under the programme. I'd like to have that kind of assurance from the minister.

Hon. Mr. Meen: I haven't had occasion to think about it for very long. But it sounds to me, Mr. Chairman, as if this would be analogous, say, to bearer bonds or bonds registered as to principal but with coupons attached, where, for however many years you care to keep the bonds, you can leave them there and not bother clipping the coupons. Your income would then not reflect the accrual of those coupons for yea number of years or all those years that you've held the coupons attached to your bonds. Then when the year comes that you cash the coupons, of course, the value of those coupons falls into that year for taxation purposes.

It seems to me that's no different from the arrangement the trust company is offering to the GAINS recipient. I don't think I would have any way of knowing about it, for one thing. I don't think that I'd be anxious to go back and pro-rate it over the years. It would certainly apply to reduce the GAINS recipient's income in the year in which he or she clipped those coupons or took the cheque from Guaranty Trust or from whomever at the end of, say, the five-year period. However, it would certainly affect it in the year following the year in which the money was received, because in that year following the income then would be based on that year in which there was some pretty substantial income.

I expect that's the way we would work it. As I say, I don't think I relish the thought of going back and reworking a lot of returns. We're anxious to help our senior citizens on an ongoing basis, not to come along later on and penalize them with chargebacks over the year, which could only be accomplished by reducing the amount of current monthly cheques that were going out.

Mr. Stokes: You haven't answered the one question that I really wanted answered. That was: Will the minister, if he hasn't already done so, undertake to compile a small pamphlet that will cover most of the situations that might occur as they affect senior citizens and their eligibility under this programme? I haven't got a copy of it. If it does contain those, I'd be happy to get a copy of it. Anything that I've seen is nothing much more than what I see in the ads that were purchased in most of the daily and weekly papers when this programme came into being. It said to contact a Zenith number and all of the information would be made available.

I had one person who did it. She was notified that she would have to send a letter to some address down in Don Mills even to get an application. There was no place at the local level where she could apply to see whether she was eligible for any assistance under this programme. There was nobody at the regional level or the district level who could say, "Come on in and we'll give you an application form to fill out." They had to apply in writing to this address down here in Don Mills even to get an application to see whether they were eligible.

This seems to be putting roadblocks in the way of senior citizens, many of whom are very apprehensive about filling out forms and do not know just where to go. When I don't know that it's absolutely essential that the client send all the way down to Don Mills even for an application form, how do you expect the client out there, many of them who are senior citizens and haven't had the experience of dealing with government bureaucracies before, to do so? This is the kind of thing that bothers senior citizens and causes elected members a lot of undue trouble.

You could cut out the red tape. I should be able to say, "Yes, I'll phone a certain office and say 'Will you send an application form to Mrs. Jane Doe?' " This doesn't happen, and it causes so much aggravation and anxiety to your clients, and I think it is totally unnecessary.

Hon. Mr. Meen: Mr. Chairman, I have been sort of dying to get up on my feet and answer this one because—well, there are a number of points the hon. member has raised.

The letter you are talking about is required by the Department of National Health and Welfare, which administers the GIS-OAS payments through their Don Mills office. They will not take it from us. I am advised they insist that the applicant write in to them and file the application with them. Now, we are only to anxious to help, and we have gone out of our way to help wherever we can in that area. But that is a matter of federal jurisdiction, I am advised,

and that would be what your constituent faced.

Incidentally, on the other point, we have printed up many thousands of this booklet, "Guaranteed Annual Income System." We have circulated it as widely as we could. It does cover all the various characteristics of the plan—age, residency, income, items that are considered as income in determining whether you qualify or not—also items that are not considered as income. It tells how GAINS payments are calculated; explains the drug benefits plan; what you need to do about a change of address. It points out, too, that there was no need to apply to us if you were already on the OAS-GIS.

Now, if someone qualifies for OAS-GIS and he comes to us and we find that he is not in it, we are not about to pay out $2,600 to an individual when he qualifies for payments under OAS-GIS. Therefore, in some instances we would insist that they make their applications for OAS-GIS.

Now, there were roughly 270,000 we knew of for whom we would get the figures, the names, addresses and amounts and so on, from the federal government—from the Department of National Health and Welfare—from their OAS-GIS rolls here in Ontario, where they are resident. But we knew that they didn't have to apply. They didn't have to do anything. They were automatically on and we were able to determine from that just how much they would receive in order that it would bring their income up to the supplemental level of $2,600.

There were others, though; those who did not qualify for OAS-GIS. For example, those who did not meet the 10-year residency rule for OAS-GIS, but did meet a five-year residency rule. We had no way of knowing who they were, and hence we did have to advertise and we did manage to reach quite a number of them.

When they have phoned our Zenith 2000 number—or, if they are in Toronto, our other information officers here who speak some 20 languages—we have tried to assist them and explain to them what was necessary, and sent out to them one of these bulletins.

I might add also, Mr. Chairman, that copies of these were made available to all members of the Legislature back in the summer. I see one or two members nodding their heads as remembering receiving these from me. If the member for Thunder Bay would like some further copies, I expect we still have some around and I would be happy to see that he does get some. They are very useful indeed.

I might point out, too, that in going into the drug plan in September it showed up that some individuals who were sort of marginally qualified for OAS-GIS hadn't bothered to apply—because maybe they received the minimum of a dollar or two dollars, or whatever the minimum monthly payment was under OAS-GIS. In any event, once the drug card became available it was really worthwhile for them to apply, so many of those have come into the OAS-GIS plan of the federal government. I don't have any figure of the numbers, but certainly a significant number—measurable perhaps in the thousands—have come into the system because of the drug benefit scheme that came into effect in September.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Mr. Chairman, could I interrupt the proceedings to inform the House that I have just been informed the Parliament of Canada has postponed the debate on the pay increases for MPs and that the government will be introducing a new bill at some later date.

Mr. Stokes: Thanks to the NDP.

Mr. T. P. Reid (Rainy River): Yes, in about four years.

Hon. Mr. White: I think those people, including I'm glad to say myself, who exercised pressure on the federal politicians—and I quite agree with the hon. member opposite—can be very satisfied with this response. Any other answer would have been completely unthinkable.

Mr. Ferrier: Not Bob Stanfield though.

Mr. Reid: They should all be ashamed of themselves.

Mr. Breithaupt: I think, Mr. Chairman, along that line that we, on this side of the House, welcome the announcement which the hon. Treasurer has made. I believe that the decision made with the acceptability of all members in this House will be seen as a wise move and something which may dispel the unfortunate connotations that were in the public mind when this was first introduced.

Mr. Stokes: I'd like to associate myself with the remarks of the hon. Treasurer and the House leader for the Liberal Party. We're very grateful in this party that those people who did not agree initially with the NDP in Ottawa have finally come to their senses and we welcome them.

An hon. member: The Treasurer gets the credit.

Mr. Breithaupt: All the credit?

Interjections by hon. members.

Mr. Chairman: Order, please, the member for Carleton East.

Mr. P. Taylor (Carleton East): Thank you, Mr. Chairman. If I may be permitted a quick preliminary remark on the subject of the Treasurer's announcement which, of course, we all knew about earlier, it would be to the effect that the fact that cooler heads have prevailed in the House of Commons in Ottawa sort of rips the rug right from under the negotiations between the government and the CSAO.

Hon. Mr. White: Say that slowly.

Mr. P. Taylor: Well, if you can't figure it out I'll leave it for you to think about and maybe I'll come back a little later.

Hon. W. A. Stewart (Minister of Agriculture and Food): What are you talking about?

Hon. Mr. Meen: Explain that will you?

Mr. L. Maeck (Parry Sound): Tell us.

Hon. Mr. Stewart: Clarify that, would you?

Mr. P. Taylor: I don't want to take the time of the House to explain the obvious.

Hon. Mr. Stewart: Let us hear it.

Hon. Mr. Meen: You don't know what to say after that, that's why.

Mr. P. Taylor: Oh, relax!

Hon. Mr. Stewart: You tied yourself into a hole that time.

Mr. Chairman: Order.

Hon. Mr. Stewart: Hansard should record that.

Interjections by hon. members.

Mr. P. Taylor: I don't want to take the time of the House to explain the obvious.

Interjections by hon. members.

Mr. P. Taylor: Mr. Chairman, can we have a little bit of order here?

Mr. Foulds: On a point of order, Mr. Chairman. Is there a press party going on this evening?

Mr. Chairman: That is no point of order.

Interjections by hon. members.

Mr. P. Taylor: Mr. Chairman, I'm glad to see you've regained control of the other side of the House. It's obvious that we're getting to them and they don't like it.

Interjections by hon. members.

Hon. Mr. Stewart: I tell you I would have learned a lot more in there than listening to him.

Mr. Roy: I didn't know the Minister of Agriculture and Food would get so excited.

Mr. P. Taylor: Could we ask the Minister of Agriculture and Food to contain himself, please?

Mr. Roy: Call him a chicken warmonger.

Mr. P. Taylor: Call him anything you want, but please be quiet because I have some very short remarks that I'd like to make in this House with respect to the GAINS programme. I don't want to upset the chaps on the other side too much, so I'll just stick to the GAINS programme. That's upsetting enough.

Hon. Mr. Stewart: That's a good idea.

Mr. P. Taylor: The aspect of this programme that disturbs me most is the obvious political nature of the decision to alter the ceiling of the accumulation of the OAS-GIS in GAINS. We all know that the federal programme is pegged to the cost-of-living index and is altered every three months accordingly.

Hon. Mr. Meen: I just told you that.

Mr. P. Taylor: If I understand how the system here works—and I invite the minister to correct me later if I utter any untruths here—

An hon. member: The member would never do that.

Mr. P. Taylor: It would be out of sheer innocence; it wouldn't be any deliberate move on my part. But if I understand the GAINS programme, they take the total of OAS-GIS and add an amount that reaches a ceiling, I believe, right now of around $228 a month. The two of them add up to $228 a month.

The political decision is whether or not to alter that total. That is not by statute or by vote of all parties of this House; it is for the

decision of the government—that small group of insensitive chaps over there who aren't really paying too much attention to reality in this province today. Now that, to me, is wrong, and it is the use of the public's money to bribe them in the worst sense.

In my opinion the fact that the Ontario government has done this is indicative of their complete lack of real interest in helping old-age pensioners. Their only real interest is in making timely, happy announcements calculated to win them the greatest political kudos in a very large segment of our population.

Hon. Mr. Stewart: Why don't you vote against it, then?

Mr. P. Taylor: The Minister of Agriculture and Food just asked me why I don't vote against it. The point is we have no vote on this subject in this House because it is by executive order. It is by order of the Lieutenant Governor in Council as to whether or not that ceiling is altered from time to time.

Hon. Mr. Stewart: Vote against it—call the vote.

Mr. Chairman: Order, please.

Hon. Mr. White: Would you vote against it if you had a chance to?

Mr. Roy: We agree with the principle but we don't agree with the method.

Mr. P. Taylor: We all know that this is wrong. They know it over there and, best of all, the people of Ontario know it.

An hon. member: Why don't you index it?

Interjections by hon. members.

Mr. Roy: I've got a good idea for you guys—an energy tax.

Mr. Chairman: Order, please.

Mr. P. Taylor: I would prefer to see a system in which a ceiling is arrived at and is periodically—perhaps a month or two following the federal escalator every three months—raised according to the cost of living index, and in which the only political decision retained in this process is whether or not to alter that process. By a political decision I mean by a vote of all members of all parties of this House.

Hon. Mr. Meen: Let's go—we debated this in the spring.

Mr. Chairman: Shall item 2 of vote 904 carry?

Mr. Roy: Are you going to answer that?

Hon. Mr. Meen: I have answered it 55 different times.

Mr. Roy: Yes, but we didn't understand it.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, the minister earlier in his comments said that you have to write a letter to the Department of National Health and Welfare to get an application for a supplement. You don't write letters at all for supplement forms. All you do is phone them up and they send them to the individual. I have never written a letter at any time for them, and I've had hundreds sent back into my riding. They are most accommodating in that fashion.

I also want to bring to the minister's attention—

Mr. Foulds: Quit making apologies for the federal government.

Mr. B. Newman: No, you just phone up the office.

An hon. member: It works very well up there.

Mr. B. Newman: There is no difficulty getting a supplement form sent to any constituent.

Mr. Stokes: There are many areas in the north that don't have telephones.

Mr. B. Newman: That's right. But those of us who live in the urban areas aren't confronted with this problem at all. The minister has to be aware also that many people do not ask for the GIS. They have looked upon it in the past as being something taken out of the public purse—the equivalent, almost, to welfare—and they have neglected to ask for GIS. But they still could qualify under GAINS. Practically every week—not every week, but maybe every month—I do contact the ministry on behalf of individuals for GIS application forms so they can get the supplement.

One area that I want to bring to the minister's attention where in my estimation the guaranteed annual income supplement is not fair is where the individual is completely disabled—regardless of age. He could be on old-age security or not, while his wife is not old enough, but she is not able to work at all because she is needed full-time at home, so she also is disabled as far as job opportunities are concerned. But she doesn't qual-

ify for the GAINS programme, and in my estimation she should be entitled to exactly the same consideration as the individual who is getting the GAINS, being disabled.

Mr. Chairman: Does the minister wish to answer this briefly before we adjourn for supper?

Hon. Mr. Meen: I could be very brief and just say that the qualification criteria—there are some seven different categories, as I recall—were all debated at some length, both back in the spring, in here and in the House, and when the bill was in committee. I suppose the Treasurer might want to take a look some day at the manner in which one might want to extend this, but you have to remember this—that it would cost the Treasury of this province a tremendous amount of money to get into a wholesale support to the level of $2,600 per capita in an area in which there is not basic OAS-GIS support.

I repeat what I said earlier, we would insist that if someone qualified for GIS he make application for GIS. Incidentally, I am told, Mr. Chairman, that the member for Windsor-Walkerville may well be right; that in some cases the federal government might accept less than a letter in the form of an application, but many times it has required that there be a letter filed.

Mr. Chairman: Shall vote 904 carry?

Vote 904 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Revenue.

It being 6 o'clock, p.m., the House took recess.

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Ontario

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Wednesday, December 18, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

SUPPLEMENTARY ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD

Mr. Chairman: On vote 1702, item 4, the hon. member for Huron-Bruce.

On vote 1702:

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I just want to pose a question to the minister with respect to the farm tax reduction programme, which is a year-by-year programme. I am wondering if the minister has any views with respect to formalizing this particular programme so we will know that it will be operating for a certain period of time or if there are any plans afoot to change the programme in any way.

Hon. W. A. Stewart (Minister of Agriculture and Food): No, not really, Mr. Chairman. There are no plans to change it specifically. It will continue, and there is no thought at all of cancelling. This sum simply is to take care of late applications that come in and some that were under appeal and couldn't be paid until the assessment or review court had dealt with them.

I would say that about the only change in the programme is that forest lands will be taken care of through another type of programme, which will be just about the same as this one, only I think it will reflect tree farming to a greater degree than livestock or grain farming, or something like that.

Mr. Gaunt: At that rate, Mr. Chairman, there must have been quite a number of appeals. What was the basis of most of the appeals? Does the minister have that information?

Hon. Mr. Stewart: Certainly not all of these late applications were based on appeals, but some of them were based on appeals concerning tree farming and whether or not there was sufficient income from the farm. Some of them didn't know whether they should apply or not, and then filed late. I think we have paid out about $28.5 million already, and this is to finalize the payments of late applications that have come in.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Chairman. I want to ask the minister about two specific points, and one of them has to do with tree farming.

Is the minister aware of a submission that was made to the Minister of Revenue (Mr. Meen) by the Ontario Professional Foresters Association, who were taking up the cudgel for those people who had productive lands for purposes of forestry and who felt that the tax structure was taking undue advantage of those who were genuinely interested and concerned about growing trees, perhaps not as an agricultural crop, but as a crop?

They felt that the grants for farming in general didn't give appropriate attention and relief to those who were genuinely interested in growing trees as a crop, particularly in southern Ontario, where there was land that wasn't considered class 1 and class 2 but shouldn't be allowed to go waste. They felt that under the Woodlands Improvement Act, sponsored by your colleague, the Minister of Natural Resources (Mr. Bernier), this was a legitimate undertaking to foster the growth of trees, particularly, I suppose, in the white pine species, and to foster more rapid growth in the hardwood species, which are so necessary to the veneer plants and to the furniture industry in southern Ontario. I am wondering if you have given any consideration to that.

The second point I want to raise relates to the $6 million in grants for capital purposes in farm development. I have very few farmers in my riding, but I did get a letter within the last few days and I passed it along to the minister for his consideration. There was one chap who was in the beef-raising industry, and he had committed himself to the borrowing of several thousands of dollars—I think it was up to $50,000 from conventional lending institutions. Because of problems with the raising of young beef, he said that the $75 per head was of very little assistance to him.

I am wondering if there is anything in this vote of $6 million that would assist those in the beef industry over this particularly hard time that they are having because of, I suppose, a glut on the market at the present time and the depressed prices of young beef. Is there anything in that or anything that you see that might assist those over this particularly hard time?

Hon. Mr. Stewart: Mr. Chairman, first of all, to answer the first part of the question, yes, we have the professional foresters' brief. It contained a lot of very valuable material as the hon. member has suggested. My colleague, the Minister of Natural Resources and the entire resource policy field have given it a great deal of consideration. I hope we will be able to expand on programmes already in existence and develop what I think are absolutely essential programmes for the future of the Province of Ontario.

To my way of thinking, there are many farms in Ontario in the developed part of the Province of Ontario, land owned in fee simple by people who may not find themselves in the position to farm it because the class of the soil doesn't lend itself to crop production, but it does lend itself to tree production. In my opinion, those kinds of people should be given very serious and sincere consideration insofar as farm tax rebate is concerned in tree farming because, to me, they are going to make a very great contribution to the future of Ontario's industry and the quality of life we enjoy in this province by planting those farms into trees, provided they are properly managed, provided the right trees are planted and provided that the scrub trees are removed and that they really tree farm.

I am sure that the Minister of Natural Resources has an excellent programme under way in this regard and that he will be having a lot more to say about it, but I can assure my friend that we are very conscious of the problem. We want to see it developed. We want to see a very real contribution made to the future. I have often said that the programme of private forest lands that was introduced by the late Kelso Roberts when he was Minister of Lands and Forests was, in my opinion, one of the greatest steps forward that I have ever seen happen in the Ontario Legislature. I am extremely biased in these remarks and in these comments.

Mr. R. F. Nixon (Leader of the Opposition): That is the woodlot management.

Hon. Mr. Stewart: Woodlot management to my way of thinking was one of the greatest things that ever happened.

Mr. R. F. Nixon: The greatest thing.

Hon. Mr. Stewart: It was one of the greatest things that ever happened.

Mr. Stokes: It wasn't promoted properly, though.

Hon. Mr. Stewart: Perhaps, but there are a vast number of people involved in it. To my way of thinking, it is going to make a very great contribution because there are areas of this province that do not lend themselves to crop production but do lend themselves to tree production. We should be doing more of it. I think that the programmes that are under way will reflect themselves in this regard.

With regard to the second question, Mr. Chairman, that the hon. member for Thunder Bay asked, which was the matter of the $6 million capital grants, this particular programme does not apply to the assistance to the sale of beef calves or beef feeder cattle. This is purely capital. It does apply to those people who have applied for the—

Mr. Stokes: The building of a barn.

Hon. Mr. Stewart: —building of a barn, the building of pit silos, outbuildings, fencing, wells, water supply and this kind of thing. Last year we budgeted for $10 million. We have about $6 million worth of applications on hand now that we project will be required or that will come in and that will require an additional $6 million to the end of the present fiscal year.

Mr. Chairman: The hon. member for Huron.

Mr. J. Riddell (Huron): I have just a few points, Mr. Chairman. Whenever I see government expenditures for the benefit of farmers, I hate to say anything derogatory about the minister's programmes. I just hope that some of the moneys appropriated are for the benefits of chicken warmongers as well.

When this farm tax reduction programme first came into effect there were rebate cheques being sent to persons who were not bona fide farmers. Now that application has to be made for this tax reduction programme, I'm wondering if those non-producing rural people have been weeded out. In other words, have we pretty well eliminated the abuses with the present programme?

Hon. Mr. Stewart: Yes, Mr. Chairman. I would say that there's been a marked improvement in that regard.

Mr. Chairman: The hon. member for Huron-Bruce.

Mr. Gaunt: There are just two points I want to raise. One is with respect to capital grants—

Mr. J. F. Foulds (Port Arthur): They will take an hour each.

Mr. F. Laughren (Nickel Belt): Any conflict of interest?

Mr. Gaunt: No, there's no conflict of interest. As I understood it, a limit was placed on the amount of capital grant money going out in each fiscal year. As I recall it, during the estimates for this current fiscal year, we voted that limit. So I can't understand the additional $6 million. Could the minister explain that to me? And while I'm on my feet, I might as well raise the other point, on the Ontario Junior Farmer Establishment Loan Corp. deficit, $1.5 million. Just how is that made up? Could the minister explain that?

Hon. Mr. Stewart: Yes. First of all, on the capital grant, the hon. member is quite right, Mr. Chairman, we did budget for $10 million. However, the capital grant programme continued on, and it amazes me that the number of farmers that have used the programme and yet there are more coming along all the time using the programme. The $10 million has already been expended. As a matter of fact, I think they used the last of it up about last week. The applications that are on hand and which are in the process of being looked at will require, between now and the end of the fiscal year, according to our calculations, about $6 million. We've added this in, because farmers have gone ahead, not knowing that they wouldn't qualify. They had no way of knowing that the $10 million which was announced and which was budgeted last spring—we debated this and it was approved—would be all used up. They really didn't know and they committed themselves to those expenditures. We think that where they have made application having gone ahead in good faith to spend this money to make improvements on their own farms, we should make an honest effort to try to meet our obligations in paying the grant. That's why the $6 million is requested.

With regard to the $1.5 million, as an assist to the junior farmer loan programme, this is the difference between what we budgeted last spring—and if memory serves me right, it was about $2.9 million—to pay the difference between the interest charges to the Province of Ontario and what the junior farmers pay on their loans. With the increase in interest rates that has happened in this fiscal year, to date even—from, what? nine per cent to about 11 point something or other—we estimate that we will require another $1.5 million to make up that difference. That's the subsidy of junior farmer loans in this province.

Mr. Gaunt: Could the minister tell me what is planned for the next fiscal year? Are you going to set a limit on the capital grant expenditure again? If you are, are we going to be faced with the same kind of thing come next year?

Hon. Mr. Stewart: Mr. Chairman, that is difficult. I would assure my friend that we would have to provide at least $10 million. No one can tell. For instance, last year we put out about $18.1 million, the year before that it was something like 26.5 million, the year before that it was $24 million-odd, and the year before that it was around $18 million or $19 million. So you just don't know.

One would think that most of the farmers in Ontario had already made use of the capital grants, and so we thought that the $10 million figure was a reasonable figure, but we find that it just wasn't enough. So I can't honestly give you an answer as to whether it will be enough, but there will be that amount of money in the budget for next year.

Mr. Gaunt: One final question, Mr. Chairman: How many junior farmer loans are still outstanding?

Hon. Mr. Stewart: I think there are 4,800, Mr. Chairman.

Mr. Chairman: The hon. member for Huron.

Mr. Riddell: Mr. Chairman, have there been any foreclosures in the last year in connection with the farms that have the junior farmer loans? Is it still government policy to permit the transfer of a junior farmer loan if the farm is sold because of foreclosure or for some other reason?

Hon. Mr. Stewart: I wouldn't say there have been any increases in the number of foreclosures, Mr. Chairman. There is always the odd one that could crop up, but there have been very, very few. The record of repayment and maintenance of payments on time is exceptionally good.

With regard to the transfer of farms on which there is a junior farmer loan to some other farmer, yes, that programme is still in effect, providing he meets the appropriate criterion of being someone who knows what he is doing in farming and who has some experience. Sometimes the interest rate is increased beyond the five per cent but that method of transfer is still there. We think it is better for a farmer, who for a variety of reasons—ill health, or any number of things—finds himself unable to carry on, to find someone to whom he can sell, and we just simply transfer the mortgage and he carries on. It works out to everybody's mutual advantage, Mr. Chairman.

Vote 1702 agreed to.

Mr. Chairman: This completes the estimates of the Ministry of Agriculture and Food.

SUPPLEMENTARY ESTIMATES, MINISTRY OF THE ENVIRONMENT

On vote 1903:

Mr. Chairman: Vote 1903, the environmental control programme. The minister has a statement.

Hon. W. Newman (Minister of the Environment): I don't really have a statement, Mr. Chairman. I would just like to point out that vote 1903(3) is basically for water and sewage programmes in the Province of Ontario—money we have spent and will be spending before the end of the fiscal year.

"Utility: plant operations," the second part of the vote, is for plant operators in the plants who have come on stream since the April 1, 1974.

Mr. Chairman: Any comments on item 3? The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Chairman. I note here that the increase to $130 million is not quite 10 per cent over what had been allocated. I presume this represents the provincial portion of the grants for new works that come in this year.

Could the minister tell me how many applications there are before the ministry at the present time? Were there more applications that reflected this increase, or is this reflected by increased costs of providing the services in keeping with your policy of not charging more than $240 per year per household? Is this because of increased costs, or are more plants being constructed?

Hon. W. Newman: It is because of increased costs, of course, because the estimates coming in when we go out to tender are much higher.

Another one is the fact that we have had a lot more requests for more expansion of our programmes. We have asked for, in the design stage or in the construction stage or there will be coming on stream shortly at this point in time about 387 projects in the province.

Mr. Good: One other question: Does it still take three, four or five years to get a plant through to the completion stage from the time the municipality decides on a project until you get the thing in operation? This has always seemed to me to be an unreasonably long time.

I could state one instance after another where municipalities have just been frustrated by the slowness in getting these sewage plants into service. It not only holds down production in established municipalities, but it disrupts all the municipalities that think the plants are coming within a year or two. By the time the plants are completed, people have changed their plan of living, they sell their homes or they think they're going to build senior citizens' homes in municipalities as soon as the sewer and water works get in. The time seems to be unreasonably long in getting these things into production.

Mr. R. Haggerty (Welland South): Just show a little speed, like the Moog and Davis building, south of this building.

Hon. W. Newman: Mr. Chairman, I have to agree with the member opposite, who says it takes a lot of time, but there are many stages we must go through.

I can start out by saying that when a municipality decides it wants to build a sewage work, an application is made to the ministry and we check it out to see if it is really needed and so forth. Then consulting engineers are appointed to do a study, which takes up to six months. They report back to the ministry; then our people—we don't have the engineering staff that we need—take considerable time to go over those plans to see if they are all right. Then we project a proposed water rate, go back to the municipality and discuss it. From that point, of course, it has to go to the Ontario Municipal Board, which does take considerable time.

Mr. Haggerty: Too much time.

Hon. W. Newman: I agree, but these are the processes that have to be gone through. To give you an example, a design came in the other day for a particular project; and meaning no disrespect to the firm that did it, the sewer line was designed to go 3 ft. deeper than it should have been, which meant a saving of $200,000 to the municipality involved. That is what takes our staff's time—checking to make sure that we are protecting the municipality.

Of course, we say 130 and 110. As you know, many bids are coming in well over that, even with the provincial subsidy of 75 per cent. We're looking at that whole matter now.

As far as the time frame is concerned, it's not always our fault. The municipality may decide, when they want to put in sewers, that they want to extend them further, which means further discussion and more engineering. But it does take time; I don't deny it takes time.

Mr. Good: One further question. I don't know if the minister can answer it or whether I will have to go to another ministry.

What happens when an agreement is reached between a municipality and your ministry about providing services, and the rate structure has been approved and set out, both as to usage charge, frontage charge, connection charge and so on, and then a region is formed? If the regional municipality suddenly decides that water procuring and distribution is on a regional basis, does the region have the power to establish a rationalized rate for the whole region and throw out those agreements?

Hon. W. Newman: As a rule, on most projects—most, but not all—that we started, prior to the formation of regional governments, we were allowed to carry on. In some cases the regions have said: "Okay, it's our responsibility. We're going to take over and we're going to do it." They do that under the authority of the legislation passed by the provincial Treasurer (Mr. White) as far as regional governments are concerned. They do have the authority to deal with those matters.

Some regions have the total authority, not only for the major trunks for both water and sewer but also for the connections. Other regions only have the major trunks and water to deal with, while the local municipality has a great deal to do with the actual connections or the growth patterns in that municipality. They are different arrangements for different regions in the province.

Mr. Good: If the ministry owned the installation and the region took it over, they could keep up your agreement and pay you at that rate, and they can then sell their water at any price they want to the municipalities within the region. Is that correct?

Hon. W. Newman: Yes, if we do the project, we charge so much for 1,000 gallons of sewage or water, whatever the case may be. How they levy and raise that money is really their responsibility. If they want a foot frontage or mill rate levy or some other way, that's up to them. Just as long as we come to agreement on the actual payments for the amount of money involved.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman, I just want to ask a few questions of the minister on plant development and construction. Does this include anything of the planning for the asbestos plant in Sarnia, or any projected ones over the next year? That's the first question.

On the second question, I noticed on television over the supper hour $11 million has been put into testing and equipment to examine the water in several localities throughout the province in terms of additives—asbestos and mercury, and a whole number of chemical and other substances.

I wanted to know, for purely parochial reasons, if it is planned that such testing will take place in Thunder Bay harbour.

This is not so much concern about the present levels, but the constant danger due to the continued dumping of taconite tailings by Reserve Mining Co. south of Thunder Bay, as the report pointed out quite clearly.

A number of people I've talked to have expressed concern—including the Minnesota pollution control agency—that currents sweeping around the west shore of Lake Superior can funnel up from Duluth, through the nose of the lake so to speak, and then swirl back into Black Bay and Thunder Bay.

I was just wondering if the ministry was considering establishing an ongoing testing programme, such as the one that was mentioned over the supper hour as taking place in Niagara-on-the-Lake and Toronto and the lakes down here?

Hon. W. Newman: I didn't see the programme over the dinner hour, but I did hear

about it. I can't really comment. I know we have a lot of equipment down at the lab. We are always getting some new equipment in for testing. Some of it is in service now, in fact most of it is.

I gather from the programme, which I didn't see, that there was some doubt about just how much of the equipment was actually in place. I gather that most of it is in place.

You were talking about Thunder Bay. You are concerned about some of the comments in the last few days, both in the House and by the news media. I can assure you that we are constantly doing lab testing on the asbestos count in all the water systems across the province.

As a matter of fact, just today I received from England a report on extensive tests done in three different labs regarding the ingestion of asbestos fibre in water. It indicates there is no carcinogenic effects by ingesting asbestos when drinking water. This is a report that came out about two days ago. There has been intensive testing in Britain on asbestos fibre and other materials too.

Mr. Foulds: I find that difficult to accept.

Hon. W. Newman: Come over and see the report.

Mr. Foulds: For one thing, it is only a clipping you are referring to there, as I view it across the way. But let's not get into an argument about that, we can do that at some future time.

If you are installing a filtration process in Sarnia, surely you view it as being a significant and worthwhile expense, and no one is quarrelling about that. If it is significant in Sarnia, surely it is at least as important in places like Thunder Bay, where the possibility of a problem also exists.

The on-going type of testing programme talked about on the television programme on CBC over the supper hour that is being carried out in southern Ontario, should also take place in Thunder Bay.

In terms of this vote it should be made apparent to the municipal authorities in Thunder Bay that it might be a very good idea, and your ministry would be willing to assist them financially, to build a filtration plant into their water intake systems.

You understand that Thunder Bay has two different sources of water. One comes from Lake Superior directly and services half the city. That's not all that far—I think it's something like less than a mile; as it may be about 800 yards or so—from the outflow of raw sewage from a section of the city. Because of that, that plant and that water intake plant should be constantly monitored, and not merely for asbestos. My concern wasn't merely on asbestos, it was on the whole range of items that your ministry is testing. What I want to do is to get a commitment from you that that programme will be taking place in Thunder Bay harbour.

Hon. W. Newman: In the Thunder Bay area, as you are probably fully aware—I don't know whether you were there or not—I was up at the official opening of our Thunder Bay regional office and we discussed at some length with some of the people up there the various problems and things that they are faced with.

We do have a lab for water testing; not doing the highly technical testing on some of the things that you may have seen over the dinner hour—and I did not see that programme, so I really can't comment on it in detail—but certainly as far as Thunder Bay is concerned, we are constantly monitoring the water and testing it. Actually, we are dealing with some chemicals now that may be able to take out any asbestos fibres that are not taken out by filtration; we are working with a particular chemical right now and doing some testing with it.

Mr. Foulds: But I'm not sure you understand my concern. My concern is not merely for asbestos. My concern is for the whole range of additives that we put in the water—some of the chemicals that we may be adding, such as chlorine—which the New Orleans study seems to indicate could, in fact, be somewhat more dangerous than some of the things we are trying to take out. I am asking for that whole range of analysis to be constantly taking place in that area and if it is necessary—and I suspect that it is—plant development, construction of the water plant, particularly in the Port Arthur ward, the north ward of Thunder Bay, be very carefully looked at in terms of upgrading, and that provincial financing of that may be necessary.

Hon. W. Newman: Of course, we are always prepared to talk to municipalities regarding financing additions or extensions to their plants. We are also constantly monitoring, not only for what we have been talking about in the last few days, but for any other of the contaminants that may be there. We have looked very extensively at, and talked about, New Orleans and their water supply and the effects of chlorine and the carcinogenic ef-

fects that could be there, although it is not known for sure.

Thank goodness we in the Province of Ontario have a water supply system which is relatively clean, as far as I am concerned. At this point in time, from what I can check from our people, there is no problem as far as the chlorination is concerned. There was some discussion tonight on the programme, and as I've said I'm not prepared to comment on it because I didn't see the programme.

Mr. Chairman: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Chairman, I would like to ask the minister a question in regard to building these anti-pollution plants in towns and villages across the Province of Ontario. After a municipality reaches agreement with you in regard to a plant, a contractor comes in and has to tear up all the streets in the town or village or whatever it is. I have seen that in many cases, if the contract is let in the summer or in the spring, the dust situation is serious. It's a great annoyance to the people, to the citizens, to the businessmen; and also, if the project runs over until the next spring, the condition of the roads is practically unbearable to those who do business in those towns or villages. People don't go to do their shopping in those towns or villages, and the businessmen are affected tremendously.

I wondered if you pay toward the control of dust on roads and the maintenance of roads in a certain condition when the project is under construction, because it is a hardship on businessmen of the town. The customers don't go in to do business, they go to another town instead, and in many cases they never come back to do business in that town for two or three years afterwards.

I wondered if there was assistance from your department for control of dust and to keep the roads in fair condition so that those who do their shopping in that town won't be forced to go to some other place because it wrecks their cars and everything else.

Hon. W. Newman: Mr. Chairman, to answer that question, when a tender is let for a particular project such as a watermain or sewers in a municipality or town, there is an agreement drawn up with the contractor that he has certain responsibilities to keep the road passable.

I know problems arise from time to time. First we have the contractors who are bonded, if anything goes wrong; and as far as dust control or construction controls, we usually have a man on the project to make sure the contractor is fulfilling his obligations. No matter how good a job you try to do, how capable a job you try to do, when you are laying these lines you do create some problems. Believe you me, I know, because I get the phone calls in my office.

We do try to accommodate people as best we can. Occasionally we run into problems and occasionally we run into problems with a particular contractor. But certainly we do try to do our best to keep the roads open and passable.

I know it's an inconvenience, especially for downtown merchants, but if we are going to get those water services in and sewer services in, the contractors have to tear up the streets. But certainly we have tried very hard, and I tried very hard this last summer to accommodate the people and their concerns because I know what it's like in a small town or village when the streets are all torn up. Some people go to another village; it's a while before they come back and that's difficult for the merchants, I know.

We are trying to do a better job on that and I think we are. If you have a particular problem right now in a particular area, let us know and we'll try to do something about it.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Chairman. I want to return to the item I raised earlier during the session with the Minister of Health (Mr. Miller), and that was the chlorination of water supplies and the potential cancer hazard in the use of chlorine in water.

I have noticed that the federal authorities mentioned recently that a more extensive study of municipal drinking waters to detect the presence of possible cancer-causing chemicals has been recommended by federal and provincial health experts. They also make mention that more extensive tests are needed to ensure that people are drinking safe water. Have you, Mr. Minister, set safe drinking water standards?

Hon. W. Newman: Yes, we have set safe drinking water standards on all kinds of contaminants or bacteria counts. As a matter of fact, I was talking to Mme Sauvé about two weeks ago about extensive testing, to make sure we didn't overlap in our testing and we co-ordinated our efforts as far as our water testing goes in the Province of Ontario,

and I must say we had a very good meeting about it.

Certainly, as far as chlorination reacting with certain bacteria to create carcinogenic problems, we have no record of any problems here at all. Where the problem did occur was, I think, down in New Orleans, where they are using a very undesirable type of water to start with.

Mr. B. Newman: I understand, Mr. Chairman, that such standards also exist in the United States; yet Congress debated for four years a safe water bill and it was only recently passed. Are you attempting to improve your standards on a regular basis so that more and more of the various additives that may come into the water supplies, directly or indirectly, are removed in the filtration process?

Hon. W. Newman: Very much so. We have talked quite extensively in the last few days about asbestos fibres in water, and we could talk about many other contaminants. As you know, I brought in new regualtions, reducing the acceptable level of certain contaminants. We are always striving to eliminate even more and reduce the percentage of anything that could be in the water that could be creating a problem for people. We are watching it very carefully all the time.

You were talking about our counterparts on the other side. As you know, we have lived up to our agreement, and will have lived up to our agreement as far as effluent going into the Great Lakes is concerned, by the end of 1975. With no disrespect to our neighbours in the adjoining states, because I think the governors are trying to do a job, they have just had their federal funds to do the effective job we would like to see done there cut off.

Mr. B. Newman: I was going to ask you, Mr. Minister, if you are aware of the use of ozone in an attempt to purify drinking water; the system that is used, apparently, in some of the states in the union and in Germany and France where they claim that ozone, which is oxygen with an extra atom, would not cause cancer, as some officials say chlorine does when combined with pollutants?

There is also technical information provided that ozone swirled through one million parts of water will rid the water of any pollutants. Prof. Phil Bailey of the University of Texas claims that ozone produces only inert materials and no carcinogens when it combines with impurities. The city of Montreal, according to this press release, is spending some $7 million in plant capacity so they can produce ozone right at the source of the water treatment plant. They are to be able to purify some 600,000 gallons of water per day.

Milan uses it and Nice in France uses it, and various other European jurisdictions. Is your ministry experimenting at all with the use of ozone to purify drinking water?

Hon. W. Newman: Mr. Chairman, a lot of our staff have been over looking at the ozone treatment they have in Europe; and we have been down to the United States and looked at ozone treatment techniques. We know that ozone supposedly, at this point in time, does not create carcinogenic problems, but we are not absolutely sure, at this point in time. Not only that, it is a very costly installation to a plant. We have to look at that point too.

We are analysing the whole thing at this point in time as far as ozone treatment goes. There is another form of treatment—it slips my mind for a moment—which we are also looking into.

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: I have one short question on administrative matters as to how this is set up. The $11.5 million represents the total additional moneys paid by the province for sewer and water installations. I believe the federal government supplies 65 per cent of that, of which 25 per cent is forgiven. Is that correct?

What I want to know is, how much of this $11.5 million is the provincial share to municipal sewer and waterworks, which is forgiven, and how much of that is recoverable then over the 40-year debenture agreement with the municipalities?

Hon. W. Newman: I got diverted by one of your colleagues here, but if I could answer it this way: Of the $11.5 million, 15 per cent is forgivable provincially, and the rest, on a chargeback basis over a 40-year basis, is recoverable.

Mr. Good: Did the federal government give you a forgivable portion of 25 per cent?

Hon. W. Newman: Yes, that is quite true; but this is basically provincial funding we are talking about at this point in time.

I think I am correct in assuming that we have federal funding for this money? Yes, we have federal funding to back up our provincial funding.

Mr. Good: I would like to go one step further. You say 15 per cent of this represents provincial funds. Does the member for Ottawa East want to talk?

Mr. A. J. Roy (Ottawa East): I am sorry about that.

Mr. Chairman: Order please. The hon. member for Waterloo North has the floor.

Mr. Good: Then 15 per cent represents the forgivable portion. When the province says its agreements allow the province to pay up to 75 per cent of the works involved, is 15 per cent about the average of what you usually assist the municipalities in their agreements?

Hon. W. Newman: No, in the basic oversizing in building a line in a municipality or a region—basically in a region we allow for an oversizing—we have a forgivable portion of 15 per cent. If we go the straight provincial route on building a water plant and distribution centre, or a sewage plant and distribution lines, we have a grant structure which says to the municipality we will pay up to 75 per cent grant to reduce it to $130 per year per person for sewage and $110 for water. Okay?

Mr. Good: What is your average—50, 60, 70, or do you pay 75 per cent on all of them?

Hon. W. Newman: I can't tell you, because in many cases, even with a total of 75 per cent subsidy, they're well over that figure of a total of $240.

Mr. Good: And then what do you do?

Hon. W. Newman: Then we try to see what we can do to re-tender, to do it in separate projects, or to see what we can do to try to modify the system to see if we can do it within that bracket. If we can't, then it's the municipality's decision whether it should go ahead or not.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Thank you, Mr. Chairman. I want to ask the minister about this recent threat of asbestos fibres in the drinking water in different municipalities in Ontario. In comparison to the filtered water system, will microscreening, or the filtering of water through microscreening, remove asbestos fibres?

Hon. W. Newman: I don't know the exact internal working of the plant, whether microscreening will remove 100 per cent. Will it or won't it? No, apparently it won't remove 100 per cent of it.

Mr. Haggerty: Well then, regarding those municipalities that draw water from the Lake Erie basin, will special assistance perhaps be provided to municipalities that do have a microscreening process there now, if they make the changeover to filtering? Will there be a special assistance given to them then?

Hon. W. Newman: No, there will be no extra special assistance because of what might be in the water regarding asbestos fibres. I said yesterday in the House, and I made a very clear and concise statement—

Mr. W. Ferrier (Cochrane South): Precise or concise?

Hon. W. Newman: I only have a copy of a report of a very well known medical group that has said there is no major problem, there is no problem as far as carcinogenic effects of asbestos in the water are concerned. The water we're drinking in the Province of Ontario today—

Mr. Haggerty: But they are not positively sure of that, though?

Hon. W. Newman: I beg your pardon?

Mr. Haggerty: Researchers are not positively sure about your statement, are they?

Mr. Ferrier: Tell us the medical group.

Hon. W. Newman: Would you like me to read you the statement? Would you like me to read it to you? It's only four or five pages and I'd be glad to.

An hon. member: Not at all, no.

Mr. Chairman: Order please.

Mr. J. R. Breithaupt (Kitchener): The minister is being provocative, Mr. Chairman.

Hon. W. Newman: No, I'm serious. I think a lot of people got upset and concerned about the water we are drinking in this province when there is no need to be upset and concerned, because the scientific data we have today says there isn't a problem.

Hon. M. Birch (Provincial Secretary for Social Development): I think the minister should read it.

Mr. Roy: Do you think he is creating public mischief out there?

Mr. Good: The minister is certainly concerned.

Mr. Chairman: Shall vote 1903 carry?

The hon. member for Welland South.

Mr. Haggerty: Is there not an agreement between the United States and Canada dealing with the international waterways under which they are policed by the International Joint Commission? Surely the person responsible for polluting the water system in the first place should be stopped. Surely you must have some authority here in the Province of Ontario to make sure that is being policed by the authority responsible for it, and I presume that is the International Joint Commission.

Perhaps there are other polluters on the Great Lakes system too that are dumping mineral waste or other chemicals in the waterway system about which we're not sure whether they can cause serious health effects. It has also been indicated in studies lately that there are chemicals in the water system that can cause health problems.

I suggest to the minister that surely the dialogue between the United States and Canada has carried on long enough. I believe it was back in 1906 that the first agreement was reached between the two countries. It was established at that time that a proper policing authority would be established and this was the International Joint Commission. I think it's their responsibility to carry it out and those polluters should be taken to the courts.

Hon. W. Newman: Mr. Chairman, I think we're away from the vote, but I'd be glad to answer the question. I would have to agree with the member in some respect that we do have some problems. But our jurisdiction is within the Province of Ontario and we must deal through your counterparts in Ottawa and ask them to co-operate with the federal US agencies. We can have all the provincial-state agreements we like – or understandings, I should say, not agreements – but unless we can get the federal government here in Canada to deal with the federal government in the US and make something binding, we just don't have the jurisdiction.

Mr. J. A. Renwick (Riverdale): Oh, come off it. You have some responsibility.

Hon. W. Newman: Sure we have some responsibility. We carry out our responsibilities too.

Mr. Roy: We shouldn't have to take that, surely, Mr. Chairman—that shouting at us.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I won't be long on this.

It is the minister's responsibility to monitor the radioactivity in the Great Lakes. We know that our American friends along Lake Michigan are developing quite a few atomic energy plants, and as a result I would assume that a certain amount of radioactivity would leak into the waters and would eventually go downstream and may end up in our drinking water.

Is that the minister's responsibility? Does he monitor it? And is there no problem whatsoever as far as safe drinking water is concerned and the radioactivity from the various energy plants?

Hon. W. Newman: As far as the plants in the Province of Ontario are concerned, of course, the Atomic Energy Commission of Canada and—

Mr. Haggerty: Don't you have any responsibility at all?

Mrs. M. Campbell (St. George): For anything?

Hon. W. Newman: The Atomic Energy Commission of Canada and our people and Ontario Hydro are monitoring on a regular basis at these plants—on an hourly basis. I have one of the largest nuclear plants in the world in my riding, so I am fully aware of the type of monitoring that they do and I am fully satisfied there are no problems there.

Mr. Good: Then he'd better move out and let someone else in.

Mr. Renwick: Don't be fully satisfied.

Mr. Chairman: Shall vote 1903 carry?

Mr. B. Newman: Mr. Minister, does your department or municipal water systems monitor radioactivity in water supplies? Do they or do they not? We have heard at numerous times of various spills that go unreported. There was one in Michigan not too long ago —not an energy spill; not a radioactive spill; it was another type of spill—but it went unreported completely and they are attempting to try to trace the source of the spill.

Accidents do happen and I am wondering whether it is either your responsibility or the responsibility of municipal water systems to monitor radioactivity.

Interjection by an hon. member.

Hon. W. Newman: I would think the municipalities would really have that responsibility. I assume that we would have that responsibility if we had any concern as to—

Interjection by an hon. member.

Hon. W. Newman: —exactly to what extent—

Well I don't know all the answers, I admit it you know. I am not like some of—

Interjections by hon. members.

Hon. W. Newman: Well anyway, we do some monitoring. We do keep a very close eye on the matter and of course work very closely with the Atomic Energy Commission of Canada. This happens to be one of the ministries that has a fairly good working relationship with their counterparts in Ottawa.

Mr. Roy: Oh come on!

Hon. W. Newman: We don't always agree. There are certain things we don't like to see.

Mr. Breithaupt: The Treasurer is pretty good in this line of work.

Hon. W. Newman: But we do have a very good working relationship, so we are looking after the people of this province.

Vote 1903 agreed to.

Mr. Chairman: This concludes the supplementary estimates of the Ministry of the Environment.

SUPPLEMENTARY ESTIMATES, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

Mr. Roy: Oh, is the minister going to answer questions?

Mr. Chairman: Perhaps the Chair might comment that we have been, in this festive season, a little lenient in the broad discussions on these estimates, but I would suggest that from henceforth we stick to the expenditures that are being discussed.

Mr. Roy: I agree with that.

Mr. Chairman: The hon. minister?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Chairman, just a very brief comment. Votes 2302 and 2303 are the result of increased costs as a result of inflation in the programmes that are covered under both of these votes.

Mr. Good: Krauss-Maffei?

Hon. Mr. Rhodes: No.

Mr. Breithaupt: Perhaps you could advise us, Mr. Minister, of the particular increases and to what programmes they relate? We thought you'd be reducing them.

Hon. Mr. Rhodes: Mr. Chairman, the $1 million amount is as a result of our maintenance programme where we ran into the increased costs of materials and equipment and—

Mr. Roy: There was a snowstorm in Ottawa last night.

Hon. Mr. Rhodes: —many of them are petroleum products such as calcium chloride, asphalt—all of these things that have just increased in cost so much.

Mr. Breithaupt: So this is a general thing right across the ministry?

Hon. Mr. Rhodes: Yes indeed, it is not in any particular job or project.

Mr. Chairman: The hon. minister—member for Cochrane South.

Interjections by hon. members.

Hon. Mr. Rhodes: Reverend sir.

Mr. Ferrier: I know I am spiritual adviser to some members of this House.

Interjections by hon. members.

Mr. Roy: Who is he looking at? The deputy whip?

On vote 2302:

Mr. Ferrier: Mr. Chairman, there are two questions. Is it now becoming economic to go back to using some cement materials for road construction since, I believe, asphalt is becoming more and more expensive because of the higher price of petroleum products. Is there any thought in that direction?

The other question that I have is a very brief question: On these construction projects, how much supervision does your ministry exercise? If a company has a contract to carry out a construction project and it seems to be delaying it and it's not being done very well, what power do your ministry's officials have to go in and say: "Look, move on with this and don't let it sit in that poor state"?

I can think of one in Timmins, which is why I ask that. Does this affect the cost of construction projects, if they fool around on

them, like they did on that one in Timmins? I wonder if the minister could comment on those two brief things?

Hon. Mr. Rhodes: Mr. Chairman, as far as cement is concerned we have looked at that to see if we could, perhaps, go to cement rather than using asphalt in the paving projects because of the fact that petroleum costs have increased and increased the costs there. However, we have found that cement costs are going up just as rapidly and there doesn't appear to be any real saving to be realized by going to cement. However, we are watching both costs all the time in an effort, in fact, to keep our costs down, because they are getting away from us.

As far as the performance of the various contractors is concerned, these are contracts which have a time limitation on them and if they are delayed beyond the time and there is not a very sound and valid reason then, of course, there are penalties imposed upon the contractor for the delays. We do have inspection teams that do go out to the various projects to inspect the work that is being done, to see the performance, to see that the specifications are being met, that the standards of material are being met, and we do have inspectors doing this on all the jobs. If there are delays, we certainly don't appreciate them and we have, on many occasions, gone to contractors and impressed upon them that they had best get on with that work and not be unduly delaying the project.

Interestingly enough, the delays this year have been much less, for perhaps a very strange reason, in that the contractors themselves are trying to rush their work and get it done in one fiscal year rather than have the carryover, because it's carryover which has been giving them some problem when they get into next year and try to get their materials, based on this year's tenders, at next year's prices. We've been experiencing around 13.7 per cent inflation on our construction material costs.

Mr. Ferrier: When you tender a contract to a particular firm and the price goes up six months after the project started, is that the contractor's responsibility? It doesn't cost the people of Ontario more if the contractor made the bid at a certain price and then fools around and hasn't got the job done. That then is the contractor's responsibility.

Does the contractor have to submit the particular proposals to you as to what he's going to do at various stages in a project, or do you more or less give him that leeway to do the job and your inspectors go in from time to time? I think there's maybe a place they do to watch the various parts of the job as it develops. I can think of one contractor who didn't do the job very hastily and caused a lot of undue interruption for the people in my particular area.

Hon. Mr. Rhodes: Yes. Mr. Chairman, we do not have escalation clauses. If the contract is bid and the tender is accepted, that's the price that the contractor is paid, and if there is a carryover to the following year that's his responsibility. There are no escalation clauses.

As far as any particular staging of a project is concerned, the ministry does develop the staging. We set the staging programme, as to how the job will be done and in what order. I will agree with the hon. member that there are times when we do have these delays, and we aren't happy with them either. We try to go in and exercise the authority that the ministry has to get that job done on time and as I say, if it's not, there are penalty clauses involved in the contracts.

Mr. Chairman: The hon. member for Ottawa East.

Mr. Roy: Thank you, Mr. Chairman.

Mr. Good: A question of the Minister of Transportation and Communications.

Mr. Roy: Yes, I want to ask some questions I didn't get a chance to ask today because there was no question period, Mr. Chairman. The minister was one of the few members of the cabinet who visited Ottawa last Wednesday who got a favourable report in the press. I could see from his actions why he would get a favourable comment.

I must say to the minister, although you are not from eastern Ontario, the people who have service stations and restaurants along Highway 17 found you to be a very receptive minister—one who appeared to give every indication of being sincerely interested in their problems.

Mr. Laughren: Promised the moon, did he?

Mr. G. Nixon (Dovercourt): You are right on.

Mr. Roy: The reason I say this—and I don't throw flowers around as a rule—

An hon. member: Watch it.

Hon. Mr. Rhodes: No, sir, you sure don't; I am waiting.

Mr. Breithaupt: Why don't you duck?

Mr. Roy: No, I won't take him to Hull tonight—no, no.

Mr. Laughren: Almost makes the minister wish he was a Liberal again.

Mr. Roy: I want to say to the minister, Mr. Chairman, that he impressed the group out there as being one who is sincerely interested in their problems. That's more than I can say about your colleague, the Minister of Industry and Tourism (Mr. Bennett).

Mr. Chairman: Order, I wonder if you can discuss the subject?

Mr. Roy: Am I out of order?

Mr. Chairman: Yes.

Mr. Roy: Yes, I'm right on here, supply and—

Mr. Chairman: The hon. member is straying.

Mr. Roy: Yes, but I want to make a few extracurricular comments, Mr. Chairman.

I want to say to the minister that he made a more favourable impression than his colleague did, who made some remarks about Highway 417. He said: "They were asking us to open 417; now that we've opened it, the guys along Highway 17 are not happy." That wasn't the problem at all.

I think you can understand, Mr. Minister, that these people were able to carry on a business because of the heavy traffic between Ottawa and Montreal. This traffic produced customers; and that's why they were able to survive. Of course, I can't understand how a government that says it is sensible to the needs of the people, especially in the eastern—

Mr. B. Newman: Sensitive.

Mr. Roy: Sensible or sensitive. Is sensitive the word? Would you like me to speak in French a bit?

Interjections by hon. members.

Mr. Roy: Mr. Chairman, to the minister, I want to say: How can a government that has been working on Highway 417 for some seven years now—we've been asking that long for the highway to be opened—open a new highway, knowing that all the traffic that is on Highway 17 would take the new route, 417? All the businesses around Rockland, Bourget and Orleans were catering to that public. How can you open a highway without even putting up a sign?

I'm not blaming the minister—and I've said this to him before. I thought you were receptive when I presented a petition, for instance, in the House about the necessity of advising the traffic coming in from the Quebec border that there are towns along Highway 17, such as Rockland, Orleans or Bourget. There are no services, for instance, along 64 miles of the new 417.

So, Mr. Chairman, the first question to the minister is this: I understand the signs aren't up yet; when are they going to go up? At least we should allow the public to know that there is food, lodging and services. If they want to get to Rockland, Orleans, Bourget and Hawkesbury, at least they'd know where to go—and not end up in Ottawa and have to come all the way back. I think road signs are in supply and services. When are you going to put them up?

Hon. Mr. Rhodes: Mr. Chairman, when I was speaking to a delegation that attended a meeting in Ottawa, I made a commitment that we would get these signs up. The instructions that I gave to my people at that time were to put up temporary signs at this stage—get the signs up to indicate these areas—and immediately proceed to produce the regular aluminum signs that would be going up on a permanent basis.

I haven't been back in the area. You tell me the signs aren't up. I was advised just recently that the signing programme was under way and that these signs were going up to indicate food, lodging and the various communities.

Let me just add to that. I agree with the hon. member when he says that when a new highway like 417 is built it should have adequate signs. I make no bones about it. I was personally not very happy at all as the minister when I found out that the new highway was built and open and there was not adequate signing. It's something, as far as I am concerned and as long as I am minister, that will not happen again on a new highway. There will be proper signing available at the time the highway is opened.

That is a commitment, as far as I am concerned, that the signing will be done at the time the highway is opened, and not waiting until the people experience the drop in business they did. I was very sincere in my commitment to the people that the signing will be there.

Mr. Roy: Mr. Chairman, if I may just pursue this point, I want to say to the minister that I tried to reflect what the people said to me about the reception that they got from different ministers. I would like to ask this minister that he speak to his colleague, the hon. member for Ottawa South, the Minister of Industry and Tourism, and tell him that there were plans about making old Highway 17, which follows the Ottawa River, a scenic route. You could build parks and so on along that. It's a beautiful area. There is still a relative amount of traffic that uses that route.

He ought not to make the platitudes or the cynical comments, such as "We spent seven years to build a highway and then once we open it we get bitching from people on the other highway." I'm glad to see the minister, Mr. Chairman, respond about the needs of that community. I don't blame you at all for the signs not being there.

Interjections by hon. members.

Mr. Roy: I want to say to you, Mr. Chairman, I can't see how the member for Ottawa South who says he is a representative of eastern Ontario could have allowed this and not been alerted to the fact of the economic disaster that was going to happen to these people along that highway by opening up the new one.

I want to ask the minister and, Mr. Chairman, I might be ruled out of order on this, are there any plans about building? I understand your department is involved in the parks. Are you not involved in parks along the highway? Is that your responsibility?

Hon. Mr. Rhodes: We have some roadside parks, just the stop and rest areas that we maintain along some of the highways.

Mr. Roy: What are the plans for old Highway 17? Do you have any?

Hon. Mr. Rhodes: I'm sorry, I can't give you that answer at this time. I don't know whether we have any immediate plans for developing more roadside parks along old 17. I couldn't answer you at this time. I can get the information for you and make it available to you.

Mr. Chairman: The hon. member for Huron and then the member for Stormont.

Mr. Riddell: Mr. Chairman, the minister indicated that the supplementary estimates were predominantly for maintenance programmes.

An hon. member: That's just the first vote.

Hon. Mr. Rhodes: I said maintenance programmes only under vote 2302.

Mr. Riddell: All right.

Hon. Mr. Rhodes: Vote 2303 is construction. It would be $13 million.

Mr. Riddell: Regardless of which one, one of the questions which is often asked me by my well travelled friends is why are the shoulders of Ontario highways not paved rather than gravelled periodically and then graded periodically? Have there been any cost studies done of late to compare the cost, say, of paving the shoulders of our main travelled roads as compared to gravelling them so often and then having the grader come along and grade the shoulders? This is all additional cost which we might be able to eliminate if we decided to pave some of these shoulders.

Hon. Mr. Rhodes: Mr. Chairman, at this time I can't give you the answer as to whether there have been any cost comparisons made. Certainly there has been a consideration given as to what costs would be to pave the shoulders. They would be quite considerable. There are some shouldered areas that are paved but they are on the major multi-lane highways. I think the hon. member is probably referring to more of the two-lane highways that we have in the province where we don't have the shoulders. I can't tell you what the cost difference would be between paving at the time of construction as opposed to the ongoing maintenance. I couldn't tell you at this time.

Mr. Riddell: Is it not true that gravel is becoming rather a scarce resource in many of the municipalities and that we might well have to look at the feasibility of paving the shoulders within the very near future?

Hon. Mr. Rhodes: There's not much question, Mr. Chairman, but that in some of the reports I have seen it has been indicated that there is a shortage of aggregate. I sometimes wonder about these reports, whether they are done for some sort of interest groups. I have seen reports that indicate that there is a shortage of aggregate in Ontario, and it may well be that we are going to have to find some alternative to putting gravel on the shoulders and it may well be paving.

Mr. Haggerty: Don't say that; the price will be double or more.

Hon. Mr. Rhodes: At this stage I can't say what the savings would be. Wo do know what it would cost if we were to go ahead and pave at this particular time.

Mr. Chairman: The hon. member for Stormont.

Mr. G. Samis (Stormont): Mr. Chairman, the minister well knows that there is more to eastern Ontario than Highways 17 and 417. I'd like to know what the overall policies of his department are regarding bilingual signs. I know you put some in on Highway 401, but they are not fully bilingual, especially for traffic coming from Toronto into eastern Ontario. I am especially interested in Highways 2, 43, 138 and 34. Is it the intention of your ministry to bilingualize the signs, or not to bilingualize, or what, on the other highways?

Mr. D. M. Deacon (York Centre): How about universal signs?

Mr. Samis: Pardon?

Mr. Deacon: Let's have universal signs.

Mr. Roy: Universal signs.

Mr. Samis: If you are going to have universal signs, fine, but if you don't, are you going to treat the people of eastern Ontario on an equal basis in terms of road signs?

Hon. Mr. Rhodes: I don't intend, Mr. Chairman, to treat the people in eastern Ontario any different from the rest of Ontario. I don't think the member would want that. I think what I should say to you is this, I agree with the comment that was made by the member for York Centre, when he indicated that using universal signs—

Mr. Ferrier: What about the people of Haileybury?

Mr. Laughren: Ask the member for Timiskaming.

Mr. E. M. Havrot (Timiskaming): The member for Nickel Belt is a good example of a poor member.

An hon. member: Oh, you're in trouble.

Mr. Samis: I'd like to ask the—

Hon. Mr. Rhodes: What I want to say to you is that I agree with the member for York Centre that the universal sign is the most adequate sign, that we can all use it. This is what our programme is at the present time, particularly in those areas in eastern Ontario and other parts of this province where there is a large French-speaking population. We want to put in, first of all, the universal signs and then secondly the bilingual signs. We are developing a programme of putting in these bilingual signs. I made a commitment, again when I was in Ottawa, to some of the people in that area who said that they wanted the bilingual signs; we said we'd put them up in the programme and in conjunction with as many universal signs as we can.

Mr. Roy: Better off with universal signs.

Mr. Samis: Will the minister also describe to what extent he'll be putting up metric signs in eastern Ontario?

Hon. Mr. Rhodes: I am sorry?

Mr. Samis: Metric signs, for the distances?

Hon. Mr. Rhodes: We have been putting up metric signs on various highways throughout the province and it's part of the start toward the metric conversion. Eventually all of the highway signs will be metric.

Mr. Samis: Will that be accelerated in 1975?

Hon. Mr. Rhodes: It's going to have to be accelerated all along, because as I understand it we are supposed to be metric in this country by about 1980, so we had better be accelerating with signs and other things.

Mr. Samis: Are you doing this at all in co-operation with the Quebec government, vis-à-vis the Montreal-Toronto route, etc. Is there any co-operation involved there?

Hon. Mr. Rhodes: We co-operate once in a while with the Quebec government on something we don't agree on. But if it's a question of highway signs, we have a fairly good relationship with the Minister of Transport in Quebec.

Mr. Roy: I don't know, you keep visiting Hull.

Hon. Mr. Rhodes: But I personally haven't been involved in any discussions concerning signing. We have had other discussions. We met in Hull recently and—

Mr. Ferrier: Oh, tell us more.

Mr. Roy: Did you talk to the government there?

Interjections by hon. members.

Mr. Chairman: Does vote 302 carry?

Mr. Roy: Can I just ask one question on the matter of the universal signs? I want to say to the minister, you visited Europe recently and you saw the plan of Krauss-Maffei there in Germany. I appreciate there is some disappointment, and a few things you want to forget about that system. Maybe you love the country, but the system leaves some questions, as you know. I want to ask the minister—

Hon. Mr. Rhodes: No, it is a lovely place. It's a good system.

An hon. member: Where is it?

Mr. Roy: A good system? Are you prepared to defend that tonight?

Mr. M. Cassidy (Ottawa Centre): A good system? Better defend that, eh? You wouldn't spend a nickel on light rail.

Mr. Roy: Mr. Chairman, as you know, they have universal signs across Europe—the stop signs, how you get off the road and the whole bit. I haven't seen one universal sign in this province yet. Have you got a programme for that? I haven't seen any universal signs here, apart from the "yield" symbol and this type of thing.

Hon. Mr. Rhodes: I think it's fair to say that part of the programme has been the standardization of signing. The shapes of the signs have become standardized, certainly across north America, and in some cases they use similar signs around the world. Perhaps I am using the wrong word when I say universal—which is the programme we want to get into—but we are using the signs at the present time that indicate—

Mr. Cassidy: The Martians wouldn't understand them.

Hon. Mr. Rhodes: You wouldn't understand them?

Mr. Cassidy: No, the Martians wouldn't.

Hon. Mr. Rhodes: I don't notice the difference.

The signs that we are using are the food and lodging signs that require no wording at all—simply the symbols that indicate camping, restaurants, service stations, and this sort of thing.

Mr. Chairman: Does vote 2302 carry?

Vote 2302 agreed to.

Mr. Chairman: Vote 2303, construction programme. The hon. member for St. George.

On vote 2303:

Mrs. Campbell: When the question was asked by our House leader as to whether any of these related to any specific projects, was the minister replying to this vote as well as to the first vote, or is there anything specific attached to this particular vote?

Hon. Mr. Rhodes: No, Mr. Chairman, there is nothing specific at all. This is simply an overall cost increase that we are experiencing in all of our jobs. We put in our estimates what we thought was a reasonable cost, but the tenders have come in much higher. These are increased costs we are facing because of inflation.

Mr. Deacon: Those aren't adjustments to tenders?

Hon. Mr. Rhodes: No, these are not adjustments to tenders. These are a result of the tenders that came in being higher than what our estimates were.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: How much of this, Mr. Chairman, relates to the extension of the Don Valley Parkway up toward Lake Simcoe?

Hon. Mr. Rhodes: I specifically said that none of this relates to any particular project.

Mr. Cassidy: Mr. Chairman, it has to relate to specific projects—otherwise the money isn't going to be spent.

Mr. Breithaupt: He's like a car dealer who doesn't make anything per unit—he makes it on the volume.

Mr. Cassidy: The minister and I have had this exchange, Mr. Chairman, during the course of the estimates, so I don't want to prolong it. But would he reiterate what he said in estimates—that he personally made the decision to change that road to expressway standards of four lanes and completely divided right of way in order to encourage car commuting from the York region into Metropolitan Toronto?

Hon. Mr. Rhodes: Mr. Chairman, I did not say that at the estimates and I don't intend to say it now.

Mr. Cassidy: Will the minister then say why it was that he went ahead with a four-lane highway which will have the effect of encouraging automobiles to commute into Metropolitan Toronto and aggravating the

problems that now exist with automobile transportation in Metro?

Hon. Mr. Rhodes: Mr. Chairman, what I said in the estimates—and I will repeat it again—was that I was the one who had made the decision on increasing the capacity of 404 in that particular area. I said at that time that I made the decision, because for some reason the press and others wanted to blame it on the Premier (Mr. Davis). He didn't know anything about it and I suppose he was probably as surprised as everyone else when I announced it in the House. But I feel that that's part of my responsibility and I made that decision.

Now, it certainly was not done for the purpose of creating the chaos that the hon. member is referring to. It was done as a result of discussions with various municipalities along that area which showed me traffic figures and the problems that were being experienced, and which also indicated that most of the traffic that was using that particular highway was not local traffic coming down into Toronto but Metro traffic getting out of Toronto.

Mr. Cassidy: Mr. Chairman, can the minister explain to me why it is that during the course of these discussions with the local municipalities along the route of the proposed extension to the parkway he did not at any time have discussions with the city of Toronto, let alone with Metro? Yet at the same time the OMB, which is a government agency, turns around and tells the city of Toronto that it can't have its particular height bylaw because it refused to talk with Markham and Vaughan and the other townships and municipalities up in that particular area. That's crazy.

Mr. Chairman. Order, please. You are straying from the theme of the estimate.

Hon. Mr. Rhodes: Mr. Chairman, I will respond to that in this way. I spoke to the people whom I thought I should be speaking with—the elected representatives of the particular ridings. One of them was the member for York Centre and the other was the member for York North (Mr. W. Hodgson), both of whom were very much involved. I spoke with them; I also met with the members of the councils of those particular municipalities who gave me their input.

Mr. Roy. And you didn't speak to the member for Ottawa Centre?

Hon. Mr. Rhodes: As far as the Ontario Municipal Board is concerned, I am not going to interfere with whatever its decisions are unless it comes to cabinet and the decision is made there. I am sorry I didn't at any time speak to the people from the city of Toronto, and I still to this day haven't heard anything from them about their concerns. The only person who has expressed any concern to me from anywhere in Toronto has been the hon. member for St. George.

Mr. Chairman: Shall vote 2303 carry?

Mr. Roy: I have a few questions to ask the minister. In relation to your construction programme here, I want to get back to Highway 417 and the last section of it that's going to be joined to the Queensway in Ottawa. What is your schedule for the completion date of it?

Hon. Mr. Rhodes: The completion date is relatively early in 1975. We are hoping to continue the work through the winter months, if we can, so we can continue right on in the spring and have it completed early in 1975. We want it well done.

Mr. Good: That's the week after next.

Hon. Mr. Rhodes: By golly, that's going to keep us humping.

Mr. Roy: In relation to the completion of that last section, I wonder if the minister is aware of the fact that his ministry had to purchase crushed stone from Hugh M. Grant, I believe it was, who had a quarry. Because you did not have a signed contract with them—and I discussed this with your predecessor—they reneged on the original estimate for the crushed stone, and you ended up paying a lot more money. I can remember the deputy minister at the time, Mr. McNab, said something to the effect that he was not going to buy it from them, but in fact your predecessor was forced to buy for a much higher price and it delayed the final phase of Highway 417.

I want to ask the minister, Mr. Chairman, if he puts this type of contract in writing now. I would suggest to the minister that it might be a good idea. People can back out of oral agreements and you can't force them to stick to the terms agreed. You might as well put them in writing because, as you know, Highway 417 was delayed for a year, apparently because Hugh M. Grant backed out of the original agreement with you.

Hon. Mr. Rhodes: Mr. Chairman, as the hon. member has pointed out, it was before

my time. I am familiar with the problem and it's correct to say that there was a problem with getting the supply. I fully agree that it's very difficult to produce a verbal agreement. It has got to be in writing. As far as I'm concerned, our contracts should spell out specifically—

Mr. Roy: Is that your policy now?

Hon. Mr. Rhodes: That is my policy. It's got to be written down. As I say, I can never find those verbal agreements when I need them, especially when I'm dealing with lawyers.

Mr. Roy: Yes, you've got to watch the lawyers.

Mr. Chairman, one further question of the minister.

He was asked a question not long ago by the hon. member for Carleton East (Mr. P. Taylor) about the local municipality of Rideau, I believe, which had said that it would not permit trucks to go through the town of —what's in the south end of Ottawa?

Mr. Samis: Come on. The member is from there.

Mr. Good: Stittsville.

Mr. Roy: Stittsville.

Hon. C. Bennett (Minister of Industry and Tourism): Well, that would have to be in the west end.

Mr. Roy: Yes, well, it's southwest. Does the minister know Ottawa South?

Hon. Mr. Bennett: It is obvious that the member is mixed up again.

Mr. Roy: The minister will come along. If he sticks around, he'll find out what eastern Ontario is all about.

Mr. Ferrier: That's Erskine Johnston's old stomping ground.

Mr. Cassidy: It's still the province on our side of the canal, you know.

Mr. Roy: Anyway, Mr. Chairman, the local municipality apparently had said that it did not want to allow Dibblee or someone else —I'm not sure who—to use a quarry which would cause trucks to go right through the town of Stittsville. The minister's department apparently overruled the council and allowed them to use the quarry. As a result, there is heavy traffic going through Stittsville now.

What is your policy with regard to that? Do you feel, for instance, that it was a situation where the stone or whatever they were getting out of the quarry was more important than the confusion and the chaos that is being caused in the town of Stittsville? Do you have no objection to overruling local municipalities when they express objections to something like this?

Hon. Mr. Rhodes: Mr. Chairman, I'm not familiar with, nor was I aware of any of the chaotic conditions that the member was talking about in Stittsville. I am aware of the concern that was expressed by the mayor of the township of Rideau, Mayor Tupper. He and I have exchanged correspondence on this subject. He and I have discussed it. I spoke to the minister without portfolio from the area, who I think was involved. The mayor and I discussed the subject, and he indicated he was concerned. I respect the mayor's position on this, because he recognized that we had a problem, and he accepted our decision.

Mr. Roy: Well, he criticized it publicly.

Hon. Mr. Rhodes: Yes, he criticized it publicly, but that was before we sat down and discussed it with him. He's not overjoyed, but he's willing now to accept the position. What had happened was there was a certain type of granular sand that we needed. It was the closest and most economical supply for us for that particular job. We have assured the mayor that the job will be done with a minimum amount of disturbance to the landscape. It will be completely restored, and he is quite satisfied.

I said to the hon. member for Carleton East when he asked the question that we do not want at any time to go against the wishes of the local municipalities. In this particular case, my ministry has been granted the authority from the Ministry of Natural Resources to develop wayside pits, but we are subject to the conditions of the Pits and Quarries Control Act. We want to be subjected to those conditions; we want to restore these pits as they should be. In this particular case, the decision was made because we needed that particular granular material and it was the most economical for us for that job.

Mr. Roy: I have just one comment on this. I appreciate that you have sort of corrected the situation or at least you have sat down with the mayor of Rideau. Why didn't you do it before you made the decision? That's what causes these things, and that's why your fortunes are looking pretty grim out there in

eastern Ontario and, in fact, in many areas of the province. Why don't you consult with them before you make a decision, rather than make a decision, cause confusion, get public criticism, and then sit down with them so that they appreciate your problem? I am trying to help you politically.

Hon. Mr. Rhodes: Let me simply say this to the hon. member, that I am really not too fussy about having his assistance politically, to be quite frank with him. You help your colleagues. What I am saying to you is that it is a big province and there are a lot of things going on in all parts of the province and I cannot have my finger on them at all times.

The decision that was made down there was made at the regional level and at the district level. It did not come to my attention until such time as the mayor of Rideau complained. When he complained I immediately went to discuss the subject with him, and I have had meetings with him. But I am the first one to admit that just right at this moment there may be something happening up near the Manitoba border that I won't hear about until tomorrow. That may happen.

Mr. Roy: Do you have control or not?

Mr. Chairman: The hon. member for Stormont.

Mr. Samis: I would just like to ask the minister if he could bring us up to date on the plans for service facilities on Highway 417. I understand there have been problems with tenders east of Casselman. Could you bring us up to date on the plans and the actual happenings?

Mr. Chairman: The Chair fails to see where this really relates to construction and property acquisition, but if the minister wants to answer, he can.

Hon. Mr. Rhodes: No, but it makes an interesting discussion.

Mr. Cassidy: It is a brand new highway. We have been waiting for it for 10 years.

Hon. Mr. Rhodes: No, I cannot give you an answer at this time. We have had some problems with the tendering for the service centres. I won't take the time to explain. I think perhaps I can send you some material as to what we do and how we go about tendering for these. We are trying to get a bigger return for the province out of these service centres and we are having some problems.

Mr. Good: Make them guarantee service.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: I have just a couple of brief questions. Do you have in this amount included a suggestion that the completion of the Thunder Bay harbor expressway take place within the next two years? Have you given that consideration?

Hon. Mr. Rhodes: I am sorry, I didn't hear the first part of the question.

Mr. Foulds: Is there anything in this vote, or would this be the vote under which a speed-up for the completion of the Thunder Bay harbour expressway would come—property acquisition and construction?

Hon. Mr. Rhodes: There would be nothing in this vote. This is, as I said, very general. It is not on any specific job.

Mr. Foulds: Do you mean this is applied to all projects across the province?

Mr. Roy: You don't expect him to know what is going on in Thunder Bay, do you?

Hon. Mr. Rhodes: Oh, I know Thunder Bay.

Mr. Foulds: If it does apply to projects like that, where obviously the ministry will be involved in additional property acquisition for the completion of the Thunder Bay harbour expressway, has the minister given consideration to the letter I sent him about two weeks ago asking for a speed-up of the completion of that from a five-year target date to a two-year target date?

Hon. Mr. Rhodes: No, I can't say that I am suddenly going to make a decision that we are going to cut it back from five years to two years because my budget is strained at times. That is why I am back here asking for increases of this sort and a supplementary estimate as a result of the inflationary trend.

I have all kinds of pressures on me to speed up all of the highway projects. Some people want me to stop them; others want me to start them; and others want me to speed them up. It is a very interesting exercise. Right now, I understand a large group from Sarnia wants me to hurry up and build a highway in memory of the member for Sarnia (Mr. Bullbrook) but I don't know whether I will or not.

I can't tell you I am going to cut it back to two years. I recognize the need and the

desire of Thunder Bay to get that done and we will try to do it as quickly as we can if funds are available and we can acquire the land.

Vote 2303 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Transportation and Communications.

SUPPLEMENTARY ESTIMATES, MINISTRY OF NATURAL RESOURCES

Mr. Chairman: Vote 2202, the land management programme.

The hon. member for Port Arthur.

On vote 2202:

Mr. Foulds: This is entirely devoted to conservation authorities I understand from the item in the estimates. I was just wondering if the minister has had an up-to-date report from—what is it called now?—the Lakehead Region Conservation Authority, about the erosion on the Kaministikwia River. I understand they've done a report which hasn't been widely circulated—I think they only made about 30 copies. I, myself, have not yet been able to obtain a copy—but it evidently does indicate that the erosion on the Kam River is taking place in some important areas at the rate of a foot a year, which seems to make it extremely urgent that some action be taken on it.

It was my understanding they were applying to you for additional funding to deal with an emergency programme for this. I wonder if the minister could let me know what stage that is at right now.

Hon. L. Bernier (Minister of Natural Resources): Mr. Chairman, the member is quite right. The conservation authorities have completed their study of the Kam River erosion area. I believe there has been some agreement, at least from committee of council, to go along with this particular project.

They have applied to me for special consideration. We're dealing with that now; it's in two parts. One would be an engineering study which could be done in the next few months—during the winter months—at a cost of some $30,000, $40,000 or $50,000. The project itself, of course, would be the second phase.

We're working that into the budget allocations for next year and I have indicated to the chairman, Mr. Shewchuk, that I should have an answer for him early in the new year as to what part we could fund in the early part of the new year; because they are on a calendar year, they're not on our fiscal year. I'm hopeful that we'll be able to do something to get the project going. I understand that the McIntyre project has a higher priority than the Kam one.

I might say that we're also looking at the possibility of negotiating with the landowners. In many of these areas where there is an erosion problem sometimes it's less costly, it's more economical for all concerned, to buy out the properties. We're just having a broad, general look at that; there are no real specifics. We thought that we would look at all those points.

So, early in the new year I should have something.

Mr. Foulds: Just one or two further questions on that, Mr. Chairman, if I might. Ironically, one of the land properties that might be in some, not danger exactly, but which might suffer to some extent is the Old Fort William property—or is it just the other side of the river that's affected?

Hon. Mr. Bernier: It's the other side, down river.

Mr. Foulds. That's good news anyway.

Hon. Mr. Bernier: I might say at this point, if I might interrupt, Mr. Chairman, we have put some retaining material around the Old Fort William site to stop erosion on the curve there. It's working out quite well.

Mr. Foulds: Just one further question then. In your exchanges with the Lakehead Region Conservation Authority, have you indicated to them that they might just take a look to see if the erosion rate that I've seen—noted in the newspaper admittedly—of a foot a year, which is extreme, is borne out in a number of key areas? If so, you might suggest to them that the Kam project may have to take at least equal priority with the McIntyre project, or maybe even have priority ahead of the McIntyre project.

Hon. Mr. Bernier: Yes, I have discussed that with the chairman. I might say that I received a very lengthy petition from a group of residents along the Kam River system, and I met with one or two of the group when I went through the Thunder Bay area. I did mention to the chairman that in setting our priorities it may well be we'll have to share with the Kam some of those dollars which would normally go on the McIntyre.

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: Mr. Chairman, I presume there is money in the supplementary estimates here for additional flood control measures in the Grand basin?

Hon. Mr. Bernier: Yes.

Mr. Good: Fine, then I can speak on that.

First of all, as well as the acquisition of land in the downtown Galt area which has been reported recently in the paper, I believe the proposal has been made that the municipality, the conservation authority, the province and the federal government join to acquire lands which are most seriously affected by flooding. I believe the Grand River flood of this past year has been one of the more serious floods in the province in recent years. It came on the heals of a flood only two years ago.

I would also like to ask whether there is any provision here for acquisition of more flood plain land in the Bridgeport area, which perhaps was the second most seriously affected area in the recent flood of last spring?

Undoubtedly the flood relief money is not in this, but maybe the minister would have an idea what the ultimate grant was in that regard to the Grand River area people.

What I'm concerned about here is the matter which was discussed two years ago, before the big flood of this year. Two years ago when there was a smaller flood of less proportion, which affected only the Bridgeport area, I spent half a day down in the Grand River Conservation Authority office. It was explained to me why the flood occurred and what the problems were. Of course, the major concern at that time was the inadequacy of the flood monitoring system—the whole monitoring system along the Grand River valley. The engineers showed me dials. Mr. Stephens, Mr. McKyle, Mr. Bower and all the rest were there. They explained to me they can only do so much with the monitoring system they have.

The early warning system was inadequate. That was two years ago, before this disaster struck. It was acknowledged there was no proper system of warning the people along the Grand River valley. In the final analysis, this has to be the responsibility of the authority responsible for that watershed.

I would hope a considerable amount of this $2.1 million will be allocated to the Grand River, which has had more than its share of floods over the past 50 years.

What made this particular flood this year more of a disaster is the fact that there had not been a flood from the time of Hurricane Hazel, 18 years before, up until two years ago.

Why we have had two floods—one of a minor nature and one of a major nature—is not very easily understood by the people who have been affected. At the time there were pretty far-reaching and searching questions. Many people were outspoken enough to attach blame. The people who appeared before the inquiry at that time provided a great deal of information.

When you get one flood settled and compensation paid, one has to think: What are we going to do to prevent this happening again? So there are two things that can be done. The first is the acquisition of land, removal of buildings, shoring up walls, building weirs and—what do they call the baskets?

An hon. member: Gabion groynes.

Mr. Good: Yes. And then the second thing is a better monitoring system along the Grand River valley so that the flood waters within the Shand and the Conestogo dams can be properly controlled.

Would the minister take a minute to explain just how much of this is connected with the Grand River watershed?

Hon. Mr. Bernier: Thank you very much, Mr. Chairman. I certainly appreciate the hon. member's concern for that particular area. It was a disaster that, of course, attracted attention right across this province. The government, realizing the severity of the situation, did come up with a very generous disaster relief fund; $4 for every $1 that was raised locally. I think that took a lot of the pressure off and assisted the area that had been damaged and helped those people who had suffered so severely.

Mr. Good: Not at the start, though.

Mr. Breithaupt: It took a little pressure.

Mr. R. S. Smith (Nipissing): How big was that fund?

Hon. Mr. Bernier: But this is the way the government responded. We are a very sensitive group over on this side of the House conscious of the problems that can be thrust upon these people.

I'm pleased to report to the hon. member that the total $2.1 million in this supplementary estimate goes to the Grand River Conservation Authority. Of that, $1,320,000 is for

dam construction on the Speed river, about 1½ miles upstream from the city of Guelph.

Mr. Good: Yes, but money has been voted for that.

Hon. Mr. Bernier: Yes, but these are additional funds for the project. The $780,000 is for land acquisition in the city of Cambridge. I believe you made some reference to that. So the whole $2.1 million goes to the Grand River Conservation Authority.

Mr. Chairman: The hon. member for Nickel Belt.

Mr. Breithaupt: I just wanted to make one point.

Mr. Chairman: All right, the hon. member for Kitchener.

Mr. Breithaupt: I commend the minister for the provision of these additional funds because, as all members are aware, the flood damage in the region of Waterloo and also in the lower stretches of the Grand River was severe and concerned us all. As the member for Waterloo North said, this dam on the Speed River for which you are providing some $1,320,000 was an older project, but at least you have brought it forward at an earlier time with the hope that its implementation may in effect assist in resolving any future problems.

The land acquisition matters are those which, of course, particularly affect the riding of Waterloo South and the riding of Cambridge, which the former Speaker, Mr. Reuter, represents. Those of us in adjoining ridings are pleased to see that certain lands at least will be acquired to remove them from the problems of the flood plain, and also to make sure that personal injury and property damage is less likely to result should this kind of an occasion unfortunately recur. I am pleased to see that nearly all of this money is being brought into play in order to attempt to resolve some of the problems which we hope will not recur in the Grand valley.

Mr. Chairman: The hon. member for Nickel Belt.

Mr. Laughren: Mr. Chairman, I can't commend the minister for spending all the flood control money on the Grand River Conservation Authority.

Mr. Breithaupt: That's the end of that vote.

Mr. Laughren: I find it really hard to accept, when for a number of years now there has been a flooding problem associated with the nickel district conservation authority. Every time I go to the nickel district conservation authority, I get a blast from the chairman, partly because of my political affiliation of course, but also partly because I have the effrontery to make an appearance before that august body. I've been urging them to institute some flood control for what is known as the Onaping-Vermilion watershed or the catchment area for those two rivers because of the rather severe flooding that occurs there periodically in the spring.

There are a large number of lakes around there with dams that are operated by the private sector—such as Eddy Forest Products and International Nickel. They are operated privately, under the authority of the Minister of Natural Resources. I believe they try to operate those dams to the best of their ability in order to trade off as best they can the needs of the private sector and at the same time protect any cottagers and ensure there is not undue flooding. But all it takes is a heavy rainfall for about 12 hours in the month of June, coupled with runoff from farther north, and there is a serious problem of flooding.

A couple of things could solve it. One would be major dredging in the river system, throughout both the Onaping and the Vermilion. Another would be a series of dams, and another would be a major recreational lake or dam built in Morgan and Lumsden townships, near Chelmsford.

So far all that seems to be happening is engineering studies. There was a report that was called the Svanks report several years ago which recommended that a man-made lake be created to back up the water in the Vermilion River, and so far the conservation authority appears to be merely studying and not doing very much about it.

I've tried working through the conservation authority, I've tried working through the Ministry of Natural Resources local offices, and I am continually running into—I think the current expression which is being used is "stonewalling."

I would appreciate any comments the minister can make on whether or not he is aware of the problem; and if so if he knows to what extent the studies have been completed and whether or not there is a chance that something will be done about it.

Hon. Mr. Bernier: Mr. Chairman, I want to assure the hon. member that flood concontrol programmes in about 38 of the conservation authorities are constantly before

us. We are very much aware of the need for improved flood control programmes in practically every one of the conservation authorities. Much of the initiative—I guess all of the initiative, you might say—has to come from the autonomous bodies, the conservation authorities; they bring it forward in a field of their priorities.

Funding is a major problem, of course—I don't have to tell you that—because we are dealing with a problem that could run into billions of dollars when one considers the overall situation across the Province of Ontario. Therefore, we have to set certain priorities within the budget we are allocated.

To be specific about the area to which you refer, I have had discussions with the chairman of the regional government and the chairman of the conservation authority within the last two or three weeks on the overall situation within the city of Sudbury; and that takes in the whole flood plain area.

I think it's fair to say we are looking at the criteria for allowing certain buildings in the flood plain area. There is some feeling among a number of experts that perhaps we are being overly cautious. We are going back to the 100-year flood time. Some say we are even going back to the Timmins flood and maybe that's going a little too far; it may never happen. But we are looking at that overall picture, and it may change some of our thinking.

We are working very closely with the conservation authority and the regional government, because they are concerned with development within the city itself. But to be very specific as to when this would move forward, I regret that I can't give you any information about that at this particular time because I don't think there is anything finalized enough for me to give you any information.

Mr. Laughren: Mr. Chairman, is the minister saying that the next move is up to the conservation authority, that it has to establish the priorities within its own jurisdiction? Is that what he is saying?

Hon. Mr. Bernier: Yes, I think if they look at their own region, establish their priorities and come up with some engineering facts and some studies, to which you have referred, then we would move along with them, as we have done in other areas.

Mr. Laughren: I assume then that you would suggest I make an appearance before the conservation authority at the next meeting.

Hon. Mr. Bernier: That would certainly help.

Mr. Chairman: Does the hon. member for Nipissing wish to comment on vote 2202?

Mr. R. S. Smith: I just want to ask a question on this since it appears, under the conservation authorities branch, that the moneys are being allowed on the basis of a four-to-one ratio—

Hon. Mr. Bernier: No.

Mr. R. S. Smith: That's not it at all? This has got nothing to do with the disaster relief fund?

Hon. Mr. Bernier: No, it has not. The disaster relief fund is over and above this.

Mr. R. S. Smith: Okay. But it was all related to the disaster in that area. Why was the four-to-one basis used in that instance, whereas three or four years ago in northern Ontario, when there was a disaster in my area, a one-for-one basis was used? If we are going to have another disaster in northern Ontario, are we going to get four-to-one too or are we going to go back to the one-to-one? Is this a new policy that has just been established?

The Minister of Community and Social Services was there at the time and saw the disaster, but we could get nowhere with this government. It was a one-to-one basis, and that was it.

The other assistance that was provided through his department and others was negligible, and it was left to the people there to do it themselves. I know you made a small personal contribution yourself, and that was gratefully received, but it was about all we were going to get out of the whole damned government.

The question remains: Why have a policy for northern Ontario that is one-for-one and a four-to-one policy for southern Ontario? You are a good member to ask that question.

Hon. Mr. Bernier: Mr. Chairman, as I have pointed out to the member, the disaster relief fund is over and above the funds being voted tonight under vote 2202. The four-for-one formula that has been established for the city of Cambridge is new policy. It is something that has been established now. Certainly if there is a disaster occurring of a similar nature in northern Ontario, that formula will be applied.

Being a northerner, I might hope to have it sweetened to more than that.

It was one-for-one, but times are changing. This enlightened administration over on this side has seen fit to improve it. I think it's a very generous disaster relief fund now. We have received complimentts and bouquets I am sure, from all members of the Legislature. The mayor of the city of Cambridge, the lady mayor, was very complimentary in her remarks.

This is new policy and it is not a policy just solely for southern Ontario, I can assure you of that. It applies for all the province, but this is not being discussed or debated at this particular time.

Mr. Chairman: Does vote 2202 carry?

Vote 2202 agreed to.

On vote 2303:

Mr. Chairman: Outdoor recreation programme. The hon. member for Nipissing.

Mr. R. S. Smith: I have a question. We seem to have for the first time here an amount of money, $150,000, provided for snowmobile trail clubs, municipalities and conservation authorities. Could the minister tell me if this money has already been allotted, to whom it has been allotted and how these people are to apply for it if it already hasn't been allotted?

Hon. Mr. Bernier: Mr. Chairman, these funds are for transfer to trail clubs, to municipalities and conservation areas. I issued a public statement, asking these organizations to contact any one of the 49 district offices. The details are all located within those regional and district offices, so that the approach would be to contact the Ministry of Natural Resources offices within any one of the 49 districts.

We asked that this information be received not later than Dec. 20. Hopefully, much of it is in now. If there's an extension required, we will certainly consider that extension. This is a programme for this year.

As we pull the programme together, our desire is to groom existing trails on Crown lands, to work very carefully and closely with the conservation authorities and municipalities and the snowmobile clubs, to groom them and maybe make the odd additional extension to already existing trails.

I think the most important thing is to obtain an inventory of all the snowmobile trails throughout the province. We hope in about a year from now, after this year's experience, to be able to come out with a fully fledged colour map, showing to the general public where the trails are throughout the entire province.

This will be very valuable in the next step. We will form the advisory council for the trails programme which we spoke about some time ago and which the former provincial secretary announced in this House when he said that we would come up with a comprehensive trails programme. To get that kicked off, we would establish an advisory council. They are being brought together and they will look at the information we have gathered this year and make some recommendations for next year's programme.

Mr. R. S. Smith: I can't understand why you have an advisory council on trails for snowmobiles.

Hon. Mr. Bernier: The advisory council will deal with a comprehensive trails programme. It will deal with snowmobile trails, ski trails, horseback riding, bicycle trails, walking trails, snowshoe trails; all those areas. It will be a comprehensive trails programme.

It may well be that a snowmobile trail is ideal for winter recreation. It may well lend itself to horseback riding in the summertime. These things should all be tied together.

An hon. member: We have got to create more advisory councils. That's really what we need in this province.

Mr. Roy: We should have a statute or something legislating that.

Mr. R. S. Smith: What we need in northern Ontario is an advisory council to tell people where to walk. That's really what we need! The thing I want to ask you is how far do you expect $150,000 to go? The LIP programme in my area alone this year is providing almost $40,000 for this same programme.

Hon. A. Grossman (Provincial Secretary for Resources Development): LIP programme?

Mr. R. S. Smith: Yes, LIP, the one the provincial secretary doesn't like, the one he says is orientated only towards Quebec. Every remark you make in this Legislature is opposed to Quebec. You are one of the white backlash in this province.

Mr. Chairman: Order. Order, please. Shall we come back to the vote?

Mr. Roy: Did he insult you? He called you white backlash.

Mr. R. S. Smith: I don't know how you sit with him. I don't know the Minister of Consumer and Commercial Relations—

An hon. member: Community and Social Services.

Hon. Mr. Grossman: Do you see the lashes on my back?

Mr. R. S. Smith: Anyway, in the last two days he's made two comments in regard to Quebec and now he's made another one tonight.

Mr. Chairman: Order, please. Can we come back to vote 2203?

Mr. Roy: Did he dare make a comment about Quebec?

Mr. R. S. Smith: He always does. But anyway, how far do you expect $150,000 to go over, what did you say, 49 different districts? You're going to spend the amazing total of $3,000 per district—well, that's what it works out to—in snowmobile trails. You might get about a half a mile per district for a thousand snowmobiles. If you think you have congestion on Highway 401 or the Parkway, wait until you see these snowmobile trails.

Mr. Roy: That doesn't even give you enough to buy paint to paint them blue.

Hon. Mr. Bernier: I believe, Mr. Chairman, if the hon. member were to look at the estimates of that particular expenditure, he will see that there's $345,000 for salaries and wages, and $430,000 for supplies and equipment. That's about $775,000 that will be used by my ministry to groom those trails, to buy grooming machines, alpine machines, and to work closely with the snowmobile clubs. The $150,000 is just a transfer payment for what they want to do. But we will be doing the bulk of the work, within our own ministry, in the 49 districts.

Mr. R. S. Smith: In other words, it's not going to be under the direction of the municipalities or the clubs or the conservation authorities, it's really going to be done by your ministry?

Hon. Mr. Bernier: In specific areas, certainly. I mean, we have to do it on Crown land. There are many areas of this province that don't come under the control of any municipality, or of any club, or any conservation authority. So it's obvious, to get the programme going, we'll co-operate with them in areas where they have jurisdiction and where they have a programme started, and this is what the $150,000 is for. But the bulk of the expenditure will be for buying equipment and the bulk of the work will be done by people within our own ministry.

Mr. R. S. Smith: All this money then is for snowmobile trails? The whole $1 million?

Hon. Mr. Bernier: Yes.

Mr. Chairman: The hon. member for Waterloo North.

Mr. R. S. Smith: Well, at least I found out. You didn't know.

Mr. Good: Mr. Chairman, this is of great interest. I was going to talk on this matter when we deal with the bill, when we get a chance, but I'll discuss this aspect of it at the present time.

In my own region, for instance, there are 14 clubs and one association governing the 14 clubs in Waterloo region. I see nothing in the Provincial Secretary for Resources Development's statement that the presentations were to be made by the clubs by Dec. 20 to the regional offices. That is the first point of concern, because I think our Golden Triangle Association has either an appointment to meet or is about to meet with the Hespeler people regarding the situation in our area.

The 14 clubs have a considerable mileage of, I think, close to 200 miles of trails, but what I'm concerned about is that it be the clubs which have the prime responsibility for the grooming of the trails in areas where all trails are on private property, where consents have to be sought by the clubs. I would think that much of the work on the trails will be done voluntarily by the clubs if the ministry is prepared to provide money for the grooming machines and grants for having it done. I would think that would be a more practical way to do it in areas where you're not talking about Crown land.

The other thing I would like the minister to know is—and I'm sorry the Minister of Transportation and Communications isn't here—could the minister tell me how many machines were registered last year in the Province of Ontario? Roughly how many thousands?

Hon. Mr. Bernier: The provincial secretary informs me—

Hon. Mr. Grossman: Blame me in case it's wrong.

Hon. Mr. Bernier: —and I don't have those figures off the top of my head—the Minister

of Transportation and Communications would —that it is around 200,000.

Mr. Good: Around 200,000 machines?

Hon. Mr. Bernier: Yes.

Hon. Mr. Grossman: Registered.

Mr. Good: So at $10 a machine, the registration fee would bring in $2 million. This has been the biggest concern of those of us who-

Mr. Roy: Does the member have to pay it himself?

Mr. Good: —yes—those of us who go on snowmobiles. The biggest concern up to this point, up to this year, is that the registration fee in the Province of Ontario has been larger than in other provinces and you haven't spent one nickel for the snowmobilers from that money; it's gone right into the consolidated revenue fund of the province.

Mr. Laughren: That's where it belongs.

Mr. Good: And they've taken it. When people operate other vehicles on private land they don't even need a registration fee, but under the Snow Vehicle Registration Act, of course, you have to register a machine if you are even going to use it on your own property. That's another arguable point.

I am glad to see here that this whole vote of $1 million is going to be designated for the grooming of trails. Because, let's face it, snowmobiles have to be regulated, we all agree with that. They have to be licensed, they have to be shown where they can go safely; they can't be a menace to the community, to the farmers or anyone else, and I think it is only fair and right that we do regulate them. But they think, and I agree with them, that because of the fact that we have the largest registration fee it is high time that the government did something to accommodate them.

Mr. Roy: Right.

Mr. Good: You pay good money to register other vehicles and the province pays huge sums of money in other areas where there is a cost involved in registering a vehicle.

I was of the opinion, as was the member for Nipissing, that the $150,000 would be the only money expended, but that is going to the conservation authorities which will cooperate in the generation of these trails. Does the minister contemplate that this programme will be along far enough that moneys will be dispensed in this particular winter so that the programme can be developed for this year's snowmobiling?

Hon. Mr. Bernier: Mr. Chairman, I want to thank the hon. member for his remarks. I am sure he is aware that we share that concern of the snowmobilers in this province who have been picking up their registrations at $10 a year and we wanted to return—

Mr. Good: Pretty expensive. They were $2 before.

Hon. Mr. Bernier: Yes. We wanted to return some of those funds to them in the way of providing additional trails and $1 million is the direction we've picked for this year.

Mr. Roy: Quebec was ahead of you on that.

Hon. Mr. Bernier: I think it is a very handsome and generous programme for the first year.

Mr. B. Gilbertson (Algoma): A good step in the right direction, Mr. Minister.

Hon. Mr. Bernier: That's right and it may be enlarged next year. We will just see how successful this is.

Interjection by an hon. member.

Mr. Laughren: The member for Algoma agrees with the minister. You had better rethink your position.

Hon. Mr. Bernier: You asked a question as to whether it will be implemented this year, and I am pleased to advise you that—

Mr. Laughren. The member for Algoma looked nervous when he said that.

Interjections by hon. members.

Mr. Chairman: Order, please.

Hon. Mr. Bernier: We will have some grooming machines in place by the weekend of Dec. 20 to 21, and hopefully much of the equipment will be in place and the programme in full operation by Jan. 2.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Great stuff.

Hon. Mr. Bernier: So the programme is on, it is off and running, but we haven't disbursed any funds until we get your approval tonight.

Mr. Good: If you are taking in $2 million, why couldn't you give out $2 million?

Mr. Gilbertson: Oh, come on, you are Liberal all the way.

Hon. Mr. Grossman: The sooner you get this passed, the sooner they go to work.

Mr. Chairman: Shall vote 2203 carry? The hon. member for Welland South.

Mr. Roy: How about a motion to sit past 10:30?

Interjections by hon. members.

Mr. Chairman: Order, please. The member for Welland South has the floor.

Mr. Haggerty: Have you got a sledgehammer so I can get his attention?

Mr. Roy: Whose? The minister's?

Mr. Haggerty: No, yours. Mr. Chairman, I was interested in the minister's comments dealing with the snowmobile trails that he proposes in the Province of Ontario. I was delighted to receive a letter just recently from the minister indicating that perhaps he has changed his mind in allowing snowmobile use in Shorthills Provincial Park in the Niagara region, and I am delighted to see that he's moved in that direction.

Hon. Mr. Grossman: You don't drive a snowmobile, do you?

Mr. Roy: But he knows what it looks like and that is more than you can say.

Mr. Haggerty: I can't afford one.

Mr. Gilbertson: Run him on the roller coaster over at Crystal Beach.

Mr. Haggerty: But I was delighted to see that he had changed his views on the matter of allowing snowmobiles in—

Mr. Roy: All the provincial secretary has seen is the inside of the limousine.

Mr. Chairman: Order, please. The hon. member for Welland South is speaking.

Hon. Mr. Winkler: Who is that?

Hon. Mr. Grossman: That is the same limousine your leader has.

Mr. Haggerty: I was delighted to see the minister change his views in the matter of allowing snowmobiles in the provincial park in the Fonthill and Pelham area. When he says that he is going to allow so much expenditure to allow the conservation authorities to construct trails within their areas, I believe the Niagara Peninsula Conservation Authority has put a ban on snowmobiles in its park facilities and I was wondering perhaps if there wouldn't be some direction by the minister that there must be some place where snowmobiles can use certain facilities of the park. It's only restricted for about two or three months of the year and there is very little damage that can be done.

In my area particularly, there are a number of snowmobile operators and they are looking for some place to go. I'm sure the minister is aware that there are not too many who can use the lakefront, which is a good place to use them in the wintertime. There's very little damage that can be done to property on the sand beaches.

Perhaps the minister should be thinking of some direction by which his ministry can open more of these sideroads along the lakeshores of Lake Erie to allow more people to get out on the beaches. There is some question as to who owns the property, but I think very little damage can be done on the beaches at this particular time of the year. I know there are a great number of sideroads that should be opened to the waters of Lake Erie. This is one way to get them open. Get these people off the roads. They can go out there and have a good time on the beaches. There shouldn't be any noise problem at all out there; they are far enough away from residents in the area. I have a great number of them go by my place in the wintertime and I don't find it a nuisance at all.

I think there should be control on the use of snowmobiles at certain hours of the night. I would suggest perhaps in the legislation that's coming forward they should set the hour at 12 o'clock when they should be off the roads and even off private property at that time. In certain areas in their closeness to homes, they do cause some problems. I would suggest as a direction to the minister responsible for licensing that the hours be put in the legislation.

Mr. Chairman: Shall vote 2203 carry?

Hon. Mr. Bernier: Mr. Chairman, if I may respond for just one minute. I certainly welcome the member's remarks. I appreciate the recreational value of the snowmobile. I have three such machines in my family. I can say to you that every weekend I'm on my snowmobile enjoying the winter recreational opportunities in northern Ontario.

Hon. Mr. Winkler: Are they all blue?

Hon. Mr. Grossman: It is not fair. The member for Welland South hasn't one and I haven't one but the Minister of Natural Resources has three.

Mr. Breithaupt: That is justice.

Hon. Mr. Winkler: The member for Grey-Bruce (Mr. Sargent) has one. I think he has got a conflict of interest there. He is trying to make some money on the side somehow.

Hon. Mr. Bernier: The member's suggestion about the conservation authorities is something I think he could discuss with his own local group. We like to leave them autonomous. I will certainly take it upon myself to discuss it with the council of chairmen of the conservation authorities. If they're going to provide recreation in the summertime, they should consider certain areas for winter recreation too. I'll take that under advisement.

Mr. Chairman: Shall vote 2203 carry?

Vote 2203 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Natural Resources.

SUPPLEMENTARY ESTIMATES, MINISTRY OF COLLEGES AND UNIVERSITIES

Mr. Chairman: Vote 2502, university support programme.

Shall vote 2502 carry?

Mr. Breithaupt: Mr. Chairman, I have a couple of questions.

Mr. Chairman: The hon. member for Kitchener.

On Vote 2502:

Mr. Breithaupt: I think there are a couple of questions that should be asked. It is rather interesting to note the tremendous amount of money—well over $560 million—in the estimates for this year with respect to the grants for operating costs within universities. Now we see, at times under which universities are finding great difficulties, an additional amount of $3 million-plus being added; something less than one-half of one per cent. Perhaps the minister would be good enough to advise us of the reasoning behind this figure and the purposes to which these funds will be put.

Hon. J. A. C. Auld (Minister of Colleges and Universities): Yes, Mr. Chairman. This amount is made up of two parts. One is $1,365,000, which actually is the federal contribution to the expansion of the Ontario Veterinary College at the University of Guelph. It is a grant through an agreement with the Minister of Agriculture of Canada, the Minister of Agriculture and Food of Ontario and the Minister of Colleges and Universities and, since it comes to the province as a repayment that we make to the university, we have to deal with it this way.

Mr. Breithaupt: It is just a transfer payment.

Hon. Mr. Auld: It's a transfer payment. The second part is $1,747,0000, which is 50 per cent recoverable from the government of Canada. That has to do with the estimates which we made based on post-graduate enrolment in December, 1973, and the actual numbers of post-graduate students who were enrolled in the period on which the grants are paid, which is from Jan. 1 to April 1. Because of the slip-year formula we have to do the calculation in December. The pattern in the post-graduate field is that there are a lot of enrolments after Jan. 1. That is the major part of the amount. There is a relatively small portion related to drop-outs or drop-back-ins, but that is basically the amount.

Mr. Laughren: Mr. Chairman, there are two comments I'd like to make, particularly concerning grants to universities. I thought that when the supplementary estimates were being brought forward by this minister, he'd have some introductory remarks to make about some of the problems that the universities are facing now.

I was particularly interested in the minister's comment a week or so ago in this chamber when he talked about the problems of universities operating under deficit financing and whether they would be allowed to borrow on their own as individual institutions or whether that would be done on their behalf by the Ontario government.

He mentioned at that time that there were something like $200 million in—and I'll never forget this phrase—unencumbered funds, which were available to the universities.

Hon. Mr. Auld: No, Mr. Chairman, I said that the universities' statements for 1973-1974 showed assets of roughly $200 million, of which about $90 million appeared to be unencumbered.

Mr. Laughren: I see. Well, it's that word "unencumbered" that really intrigues me. I'm assuming those are funds that are there from reserve funds that have been built up for capital projects and so forth over the years.

Hon. Mr. Auld: No, Mr. Chairman, perhaps I could save a little time here. What I meant was funds that were not specifically allotted by endowment or something like that to specific projects. What I was talking about were the amounts set up in operating and capital reserves and some other university funds that are not specifically entailed to a purpose.

For instance, when the University of Toronto sold the Connaught Laboratories, it received some $20 million. That money is in the hands of the University of Toronto. I understand they used some of the interest for research grants, but specifically that money could be used in the university system as an advance to deal with interim deficits for the whole system. There is no legal barrier to stop that.

Mr. Laughren: Mr. Chairman, it seems to me that what the minister is saying is that the universities should perhaps share their deficits and their surpluses with one another. If he is saying that, I trust he's had consultation with the Ontario Council on University Affairs, or at least with the committee of presidents of the universities.

Is he really saying to us, through the back door, that what we need in Ontario is a University of Ontario that is administered and financed by the Province of Ontario? If he is saying that, or if he is putting up a trial balloon to see what kind of a reception it gets, does he not see that part of the strength of the university system of Ontario is its diversity? Each one of these institutions is creating a kind of history in itself, and there's a great deal of pride in the various universities in the province. I would suggest that's true even of the newer universities that have been struggling for the last years.

I'd be interested in having him share his views with us on that, because I think it is a remarkable departure from past policies of the Ontario government.

Hon. Mr. Auld: Mr. Chairman, what I said was that in the first place it was none of my business, since I believe the universities should be competitive and autonomous, although I have some reservations about the degree of competition because of duplication and insufficient funds to pay for duplication. What I said was that the universities within themselves have the funds to set up a loan fund to tide them over as a group and it wouldn't seem like a bad idea if they talked among themselves.

Mr. Laughren: Can you imagine John Evans saying to Ed Monahan at Laurentian, "Here Ed, I've got a few million here we'd be glad to share with you. We know that you are an emerging university"—I know that's not the term you use any more—"You are a struggling young university and you don't have the kind of economies of scale that we at the University of Toronto do and we'd be glad to share with you our largesse, built up as a result of our size or of our operating efficiences" or whatever? Has anyone led you to believe that the universities which have those funds will be willing to share them with those that do not?

Hon. Mr. Auld: I can't answer that question. That's a question I've asked.

Mr. Roy: Well, has any university got a surplus to share?

Mr. Laughren: In other words, you are floating a trial balloon to see if the rich universities will share it, and I would suggest that that is a red herring because you know that they are not going to do that.

Are you not aware that the system you've created makes it virtually impossible for the smaller universities to cope with the growing costs? They simply cannot effect the kind of economies that the larger universities can. I agree that it is an expensive system we've got, but I would suggest to you that that is because it's a campus-oriented system, one that depends upon a professor at the front of the room and students in front of the professor.

Perhaps the direction of this ministry should be to try to diversify the delivery system of post-secondary education in the Province of Ontario. I don't see the ministry experimenting with contract learning, as they are in the State of New York. I don't see the ministry experimenting with educational television at the post-secondary level. I don't see you experimenting with correspondence courses at the post-secondary level, or even ideas like Frontier College has in the Province of Ontario.

I'm wondering why you don't say to yourself, "We haven't had a fresh idea in this ministry since Bill Davis created the community colleges. Now, what have we been doing since then, other than creating a very,

very expensive infrastructure within the ministry and out there in the colleges and universities?"

What are you going to do about that? Do you see any end to this crisis in financing in the post-secondary level? I can only see it getting worse, with you granting them 7.4 per cent increases and salary demands going up by 15 to 25 per cent a year. Salaries are about 80 per cent of the total operating costs of the universities. I would suggest to you that unless you get the ministry moving in terms of alternatives to delivering post-secondary education, you are going to have this problem year after year after year at the post-secondary level. I would very much appreciate knowing what the minister sees as a way out of this, because I don't think it's conducive to a healthy post-secondary educational system.

Hon. Mr. Auld: Mr. Chairman, very briefly, I have asked the Council on University Affairs to pursue, in the meetings that it is presently conducting with the institutions, a number of the matters that the hon. member has referred to and also a number of others that I suggested to them.

Mr. Laughren: Did you suggest perhaps the sharing of facilities between the colleges and the universities, which is virtually nonexistent now? Even I realize that it is really too late for that now. In the most incredible move that I have ever seen in any educational system in the world that I am familiar with, you have created two parallel systems with the colleges here and the universities here and equally grand campuses across Ontario, and now you wonder why they are not cooperating and sharing facilities. Well, that shouldn't be too difficult for you to see.

I wonder if you read the report that Lakehead University made to the Council on University Affairs? Near the beginning of that report they said that the Greeks had a definition for a university and that it was a library of great books.

Interjection by an hon. member.

Mr. Laughren: I think what they were trying to say was that a university is more than bricks and mortar, although I don't want to try to interpret literally exactly what they said. I would encourage you to get some fresh air into the ministry.

Maybe when you get the—what are they calling it?—the Cul and Rec ministry, things will improve.

An hon. member: We'll look after that next year.

Hon. Mr. Auld: I think the term was "the smocks and jocks."

Mr. Chairman: Shall section 2502 carry?

Mr. B. Newman: No. I wanted to ask of the minister if any grants are made to church-supported or to church-associated universities.

Hon. Mr. Auld. Mr. Chairman, last year was the first year that church-related universities received grants for non-theological courses. There is presently a submission to the ministry through the Council on University Affairs for support of theological training, and no decision has yet been reached on that.

Mr. B. Newman: But if you have made grants to church-supported universities for the non-theological portion of the university, is that not contrary to government policy?

Hon. Mr. Auld: It's government policy.

Mr. B. Newman: All right. You have two policies in education; one for the Ministry of Colleges and Universities and a different one for the Ministry of Education.

Hon. Mr. Auld: The policy for some time was that there was no support for church-related institutions. I think it was two years ago that it was changed—

Mr. Deacon: Just a year ago.

Hon. Mr. Auld: A year ago—for the courses that were not theological.

Mr. Roy: Mr. Chairman, I have a question of the minister in relation to vote 2502. The council had representation from the two universities in Ottawa. You have certainly heard about the plight of Carleton University and the problems that they've had with St. Pat's College. That's been in the news in the Ottawa area. A decision related to St. Pat's has been stalled for a period of a year. Of course, the problem with the University of Ottawa in my riding is the question of their bilingual programme.

I understand, Mr. Chairman, to the minister, that there is this famous BIU system and there is difficulty in getting agreement from all universities about changing it. Because of its high percentage of students in its arts programme, science programme, and others, Carleton is in a difficult position as related to other universities—for instance, the

University of Ottawa. But then, the University of Ottawa has a problem with its bilingual courses—the extra cost related to that.

Now, do you see a new formula being proposed for a more equitable distribution to assist universities such as Carleton, or are they going to continue with the old one? If you stick with your grants of this year to Carleton, they are going to keep accumulating deficits. It comes down to the policy we were discussing in the question period some time ago: Are we going to ask universities to get involved in deficit financing?

I want to ask the minister, Mr. Chairman, can he see any immediate solution to their problem? Or is it strictly a question of the universities sharpening their pencils as the Treasurer said—and increasing the teacher-pupil ratio and this type of thing?

Hon. Mr. Auld: There are about 12 questions there, Mr. Chairman.

First of all, there is nothing new in universities having deficits. They have had them over the years, and they have solved them. I think I mentioned that in their estimates last year, at the beginning of the year they predicted a total deficit of $13.5 million. When the smoke cleared away, it was $1.8 million.

Mr. Roy: That is for all universitiies?

Hon. Mr. Auld: As far as the formula is concerned, I have said—and at least one if not two of my predecessors have said—that the present formula needs to be altered. There have been committees. In fact, there was an Ontario university council group that attempted to wrestle with this problem, and didn't come up with a solution. Because the real trick is; if the dollars are constant and you change the formula, for everybody who gets another dollar somebody gets one less.

I am not convinced the problem is quite the way it is presented by some people. If you look at the figures and look at enrolments, if you look at student-teacher ratios, it is rather interesting to see that hasn't varied by more than 0.2 per cent in the last four years. Now, enrolments have grown in some places, they have been stagnant in some places, and in some places in those four years they have actually dropped. But it is rather interesting to see this relationship which seems to continue, no matter what the BIU is, no matter how it is made, even with a slip year.

There have been warnings given for four years that the great growth was slowing down, that the funds would not be increased at the same ratio they have been for the years previously when the great growth took place, and I am confident that it can be worked out.

I appreciate that it's very difficult, and that's why I have said I assume there will be some deficit financing for a year or two. I don't really see how a number of the institutions can avoid that. But again I go back to what I said a few moments ago. A number of the institutions have had deficits in the past, some of them quite a few years ago. Some of the older institutions have had this problem and they have solved it. I think together we can solve it again.

Mr. Roy: There wasn't a deficit, for instance, in institutions that were privately run or run by some religious order or something, where they owned property or the buildings or whatever and could borrow on that type of property. But you can see, for instance, under the new system, that institutions which start lending to universities, if that becomes necessary, are going to need some form of collateral. I am just wondering how that's going to work out. I can see real problems raised there.

What concerns me is that there seems to be some suggestion in your statement that universities are in fact inflating your deficits to get people alarmed. I suppose one could carry it a step further where you have a situation like you had in Ottawa, where St. Pat's College, which is a small college, with a long tradition in the Ottawa area, giving a different approach to education than the larger university, is being threatened with closure. That concerns a lot of people in the Ottawa area.

Mr. Ferrier: All over the province.

Mr. Roy: Yes, and I suppose that's just a start. If it happens in Ottawa, they are going to start looking someplace else. What is concerning me about it is that we may wake up in four or five years, having done away with the small colleges, and find out that wholesale education or mass education doesn't work and we start going back to it.

Mr. E. J. Bounsall (Windsor West): We are also concerned about Ottawa.

Mr. Roy: Why, sure. So is the minister saying in fact that there's some scheme or attempt on the part of universities to sort of inflate or cause a bit of panic to get some public attention to their plight?

Secondly, how do you operate a budget on deficit financing on the part of a publicly run university? I just wonder how you envisage this.

Thirdly, how are universities supposed to operate when in fact your grants to them are less than the inflationary factor? We know that some 80 per cent of their costs are wages and we know that they are going to fall behind at the 7.4 rate—at least at the rate of inflation that we have had in the past.

Hon. Mr. Auld: Mr. Chairman, if you have a university building and you could borrow money on it 10 years ago, you could borrow money on it today. I don't know how you borrow money on a university building. If somebody is going to foreclose, what do they use it for? I am not going to get into that discussion. All I can say is that if you could do it 10 years ago, I assume you could do it today.

An hon. member: Put up another Rochdale.

Hon. Mr. Auld: As far as St. Pat's is concerned, I said in this House a few weeks ago that it was an internal matter and that I assumed that it would be solved. I understand that they have reached agreement and St. Pat's continues.

The third thing that the hon. member said —I have now forgotten what it was—it was rhetorical, but I thought I might try to deal with it. I guess the hon. member has forgotten too. We'll deal with that some other time.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Mr. A. J. Roy (Ottawa East): We just want to report that we've done a lot of work.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member for Ottawa East hasn't done much. Mr. Speaker, before I move the adjournment of the House, I want to tell the members who are present we will proceed in accordance with our agreement at 10 o'clock tomorrow morning.

Mr. I. Deans (Wentworth): I'm not sure what agreement we're talking about and who made it. I can recall, Mr. Speaker, as you can recall, meeting last evening and agreeing to meet today at 2 and not the regular hours, and tomorrow at 2 and at the regular hours, and on Friday at 10, if need be. I'm not too sure what the agreement was and among whom. I understand there were discussions prior to the meeting we had last evening. I want to suggest to you, sir, that in your presence we agreed to meet at 2 o'clock today, at 2 o'clock tomorrow and at 10 o'clock as usual on Friday, if necessary.

Hon. Mr. Winkler: Mr. Speaker, that is totally—

Mr. Deans: I ask you, Mr. Speaker, to ask the House leader to keep in his seat until I have sat down.

Hon. A. Grossman (Provincial Secretary for Resources Development): Take it easy.

Hon. Mr. Winkler: That is more than some of his members do.

Mr. Deans: That's fine, but I didn't interrupt the minister. I ask you, Mr. Speaker, if you would recall to your mind exactly what we spoke about last evening.

Hon. Mr. Grossman: Oh, dear! The member for Wentworth is being provocative.

Mr. Speaker: I find it very difficult for the Speaker to get involved in such a debate.

Mr. Deans: No, but you must admit that you were there. There is no agreement, and we will sit at 2 o'clock.

Mr. Speaker: As I recall the private discussion, there was no agreement, but a motion may be made. It had just been intimated we would have a regular day on Wednesday and a regular day on Thursday. I know of no other agreement. I will abide by any motion which the hon. House leader may wish to put to the House or whatever it might be.

Mr. Deans: It is after 10:30 by the way.

Hon. Mr. Winkler: That really doesn't matter. Don't bring that into the argument.

Mr. Speaker, I would like very much, if you have an opportunity, for you to investigate Hansard of yesterday, whereby the whip made the commitment we would sit at 10 o'clock tomorrow morning. I also had agreement from the House leader of the Liberal Party, and I think you will agree I'll honour

that. I just want the whip of the NDP to stand up and say he agrees.

Hon. Mr. Grossman: He's nodding his head.

Mr. Speaker: I can't answer that. I would suggest if there's a desire on any part to meet at 10 o'clock, perhaps we might move a motion to that effect. That depends on the House. I know of no agreement. That's all I'm saying really.

Hon. Mr. Winkler: Let the whip speak.

Mr. J. E. Stokes (Thunder Bay): I can shed some light on it. I did speak earlier yesterday afternoon when things were in a more sane atmosphere, to agree along with the House leader of the Liberals to sit at 10 o'clock Thursday morning on the assumption that we didn't sit today. There was an agreement made among the three House leaders in your presence last night that superseded that. What went on there I'm not prepared to say. The House leader is accurate. We did make that decision on the basis that we wouldn't sit today.

Hon. Mr. Grossman: This is beginning to sound more like a used car lot every day.

Mr. Speaker: It's a little complicated. Perhaps it could be simplified and some agreement come to, if the hon. House leader would care to make a motion, if he wishes, or carry on with a regular day. I'm in your hands.

Hon. Mr. Winkler: Mr. Speaker, I would like very much to hear from the House leader of the Liberal Party on this question, because we agreed.

Mrs. M. Campbell (St. George): Why are we protracting this business?

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I think in the discussions that were made last night we had acknowledged we would be prepared to sit tomorrow morning at 10 o'clock if required. I had a note from my leader who apparently had discussed this matter with the House leader of the government. The note was to the effect that he was prepared to accede to sitting tomorrow morning at 10 o'clock with the question period at 2 o'clock, as we have done on certain occasions in the past. Accordingly, I think the matter would best be resolved if the government House leader would make a motion with respect to the sittings for tomorrow—

Hon. Mr. Grossman: We will have another division.

Mr. Breithaupt: No, I think at that point we can then proceed however the House may decide.

Hon. Mr. Winkler: Mr. Speaker, for the sake of the record and of this legislative assembly, I simply want it understood that agreements that are made between honourable gentlemen are honoured. That is all I want.

Mrs. Campbell: The government House leader hasn't honoured that.

Mr. Speaker: Order, please.

Mr. Deans: I can only take personal exception to that remark. I attended a meeting last evening, as a result of the bungling of the government House leader—

Mr. Speaker: Order, please.

Mr. Deans: —and I distinctly remember the discussion. The discussion did not at any time centre on meeting at 10 o'clock on Thursday. I agreed to meet today at 2 o'clock. I agreed to meet tomorrow at 2 o'clock. If the House leader wants to move that we meet at 10 in the morning, then I am not going to oppose him. But I tell you right now, Mr. Speaker, there was no agreement; and if he wants to make agreements, he meets with me.

Mr. Speaker: Order, please. It seems to me that people have been talking to various people and not with the right people at the same time. To clarify this, I would suggest that if it is the desire to meet at 10 o'clock we should have a motion to that effect. If not, we should have a motion to adjourn.

Hon. Mr. Winkler moves that the House sit at 10 o'clock tomorrow morning, and that the question period be at 2 o'clock.

Motion agreed to.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 159



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Thursday, December 19, 1974

Morning Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 19, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

Clerk of the House: The 16th order, House in committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF COLLEGES AND UNIVERSITIES
(concluded)

On vote 2502:

Mr. Chairman: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Chairman.

Mr. Minister, you are actively encouraging universities in this province to go out of business, by making the statements you have done in the last few weeks and taking the attitude you have with respect to the funds.

The operating grant in the supplementary estimates of $3.1 million is simply not enough to come even close to helping to cut down the deficits which the universities are having this year. Of that $3.1 million, almost $1.4 million goes to one university, Guelph, in order to expand its veterinary college. In point of fact, you've got only $1.7 million left to distribute in what one would call normal operating grants. The accumulated debt from this current year for all the universities collectively in Ontario is running between $4 million and $5 million, or will be by the time the academic year is over.

Some of those universities, as you have indicated, are going to break even and some may have a small surplus. We're talking about four or five universities which are sharing the majority of that deficit and are in rather tough shape and are having to really ask themselves whether they can keep going. The university which is asking itself that question most seriously is Lakehead with a present deficit, or projected at year-end, of $1.7 million, perhaps going up to $2 million. The University of Windsor has about $1.6 million, Laurentian and Carleton—

Mr. Chairman: Order please. I'm wondering if the hon. members would desist from their conversations so that the Chair might listen to the hon. member for Windsor West.

Mr. Bounsall: Thank you, Mr. Chairman. I know you're very interested in these university matters in the area from which you come. Carleton with its arrangement with St. Patrick's is finding that expensive and is in tough shape as well. Trent would have been in very tough shape this year if it hadn't taken some very stringent measures last year, stringent measures which it cannot continue. They cannot continue very much longer to hold the stretched position they are in this year. They are facing accumulated deficits.

Your statements in the House here of late about their sharpening their pencils and doing some more figuring is ludicrous in terms of the total collective debt they're facing this year and which they are likely to face next year. Your announced budget for next year in the BIU is causing financial problems which are just too big for most universities to handle or to contemplate. One can look around, and if one makes some very stringent cuts in certain areas, one can see a saving of perhaps $10,000 or $12,000; but that's absolutely ridiculous in terms of the deficits which they have and the deficit which they'll be adding to from next year.

If you're looking for some way to get the universities out of business, you're sure taking the route in your announcements on lack of funding over these past few weeks. Your statement of a few weeks ago that the universities' debt is not a provincial debt has caused great consternation. Some universities are asking, "Well, whose debt is it? Are we, collectively, on the board of governors, personally responsible for that debt?" It is causing them to really consider whether or not they can afford to have that university continuing with that sort of debt facing them.

You talk about and we in this Legislature talk about accountability in the past of

universities and how it should be a co-operative venture. Both of those things are admirable from my point of view and from the minister's point of view. Yet you go about denying that by statements like, "Your debt is your debt and isn't part of the province's debt." You've absolutely denied any possibility of a co-operative type venture. You yourself have denied it by that sort of statement.

The accumulating deficits they have now and the ones for next year can only be accommodated in staff cuts, with the faculty and staff making up 80 per cent of the salary budgets. There's one problem here. Sure, you can cut staff, but there's a minimum number of staff needed to give a particular programme. Often you can triple the number of students and triple the BIUs in a programme without adding any more staff; that happens in some places as you maximize your enrolment. But if you are looking for cuts in the vicinity of millions of dollars or more, it can only come in staff cuts; and there is a minimum to which staff can be cut or you will cut the entire programme. If you cut your entire—

Mr. Chairman: If the Chair could interrupt the hon. member, it seems to me the minister explained last evening that this is really a transfer payment that applies to the Ontario Veterinary College and the University of Guelph, and I am trying to relate your comments to the actual money that is being voted here.

Mr. Bounsall: Mr. Chairman, that accounts for only $1.4 million of it; $1.7 million is in other operating grants and the rest is in student support.

Mr. Chairman: We are only debating vote 2502 right now, though.

Mr. Bounsall: That's right, which is for operating grants, right?

Mr. J. F. Foulds (Port Arthur): And that money goes to all the universities.

Mr. Bounsall: Since $1.7 million of the total goes to universities province-wide, Mr. Chairman, it is quite proper to speak of the operating problems in all universities.

The minister mentioned that the staff-student ratios haven't changed over the last four years; some were up, some were down and some stayed about the same with respect to various programmes. Well, that was to be expected. There have been enrolment drop-offs at various places and in various courses, and unless you actually cut staff, which might mean cutting the programmes in those areas, your staff-student ratio is going to decrease. In other areas, as you have an increasing number of students coming into a programme or you maximize the number of students, obviously that is going to help increase the staff-student ratio. But, on average, I am not surprised that it stayed about the same when you have had decreasing enrolments or only very small increases in enrolments. I wouldn't have expected much difference.

Looking at this coming year, and bearing in mind that the deficits for the coming year will be added to the existing deficits which are not adequately funded in this budget, a very interesting calculation has been done which shows that if you want to balance the universities' budgets for this coming year, the average salary increase that could be tolerated across the province, taking the universities collectively, is six per cent.

This coming year we are looking at a six per cent salary increase only if the budgets are to be balanced; and for every percentage point you go above that six per cent, you are adding collectively $5 million to the deficit position of the universities of Ontario—$5 million is added for every percentage point over the six per cent to balance the budget.

In light of the inflation we have had in this past year and we can expect to have in the coming year, what the ministry is saying is, "We are happy for the university faculties and staff in this province to have only a six per cent salary increase on average." That's what it boils down to in terms of the amounts of money that you have been given. We already note some very interesting situations with respect to this.

The support staff in the health services field, some of them right in the same building in our medical centres in this province, have staff funded through the Ministry of Health and the Ministry of Colleges and Universities. The staff funded through the Ministry of Health now are getting 20 to 35 per cent more in salary than those funded through the Ministry of Colleges and Universities, and you are saying the most they can have next year is six per cent.

Here you have people working side by side, doing identical work, with one group already getting 20 to 35 per cent more in salary through one ministry of this government; and to the disadvantaged group you are saying, because of your budget financing, that six per cent is all that you can expect. In terms of jobs and positions of faculty, they are well below what government is paying. Government service jobs

requiring identical qualifications—PhDs—have been advertised in the newspapers in the last month or two at 15 to 16 per cent higher than these persons could be hired for at the university level; the salary is approximately $2,000 higher, and in some cases as high as $3,000 to $4,000 more, or 30 per cent higher, in advertised service jobs of federal and provincial governments.

So in terms of what the universities can pay to attract anybody should they have an opening to hire someone, they are severely disadvantaged over what they can receive elsewhere. At the University of Windsor, last spring, three persons in the geography department finally decided that they would no longer work at the salaries the university could afford to pay them and went into government services, either federal or provincial. There were three in the spring and a fourth left later. This is what is happening around our universities and you're losing very good faculty.

Once you start to cut faculty to achieve costs you are not only in danger of losing your programme, but it works out that it's the better faculty at the universities who, looking at the cuts and seeing that there are going to be problems with funding over the next few years, leave to take the higher-paying jobs for which their particular services are in demand. So you're systematically destroying the university and stripping it of its best faculty members if you don't rethink your formula financing in general for the universities.

My colleague from Nickel Belt (Mr. Laughren) last night mentioned alternatives to delivery.

Mr. W. Ferrier (Cochrane South): Great fellow.

Mr. Bounsall: He made some interesting remarks on that which I wholeheartedly support. There are problems with it and the ministry has to get in and really work on some of those problems. You can't just do a television tape one year and expect that tape to be replayed year after year for general public consumption and not have carefully worked out the financing details with the faculty members and the university involved. I don't think there has been any serious attempt to seriously confront the problems that exist in replays of television material, which has been going widespread across this province.

Also, what has the government done in programme-by-programme studies to see what the maximum number of students in it for dollars earned and greatest efficiency is? I bet that hasn't been done. If that had been done and done right across this province you could quite readily say: "Look, there can be no expansion in a particular programme or no addition at another university of a particular programme, and should not be, because of this maximization effect." And you could indicate it's only a matter of correlation. We have computers that can do this for us where those vacancies are in the province for the students who want those particular programmes, as a means of maximizing efficiency.

When you come to the staff cuts which the universities are going to have to take, they're going to look at other places first. There's one place that sort of bothers me and that is the maintenance of university buildings. This is, of course, being done out of operating moneys, and there's going to be a tremendous temptation to stop maintaining them. There is really a decrease in maintenance of public buildings. You're going to have a depreciation in real, physical terms of Ontario public buildings if you push these cuts much further.

The ministry talks about the students having access to the universities of Ontario in its statements. The problem is: What have they got access to when they get there? This doesn't seem to concern the minister nearly as much as it should.

The minister talks about $20 million unencumbered funds around the universities of Ontario. These were funds, by and large, not earmarked by a particular donor or what have you, but set aside as contingencies for equipment replacement and so forth—things which are very desperately needed. The universities that have done this have been, in fact, good custodians of the moneys which they have received. They realize that capital equipment has to be replaced, mainly instrumentation, and they have put funds aside to help pay for this. For you to say to them, "Let's take these funds of which you have been careful guardians and custodians and hand these out to another university," is just so unrealistic as to be unthinkable.

You may well be moving to, or trying to move to, a University of Ontario with just the 16 or 17 campuses and so forth. But if you want to give the universities any autonomy and expect, for example in a university like Queen's, that donations from its graduates will keep pouring in and help to sustain that university, that will all be lost if you move them to another university in Ontario.

To say that that $20 million could be easily shared around the province, particularly with the plans there are for that $20 million to help account for the almost $5 million deficit on this year's funds, and it may be $15 million next year collectively, is just patently unrealistic.

The universities have tried in the last little bit, and they are very concerned about it, to be mindful of their long-term responsibilities as well. This is something which is very hard to do in this tight funding. The liabilities in unfunded pension funds—

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Chairman.

Mr. Chairman: Order.

Mr. Bounsall: Yes.

Hon. Mr. Auld: Did the hon. member say I had said $20 million?

Mr. Bounsall: Yes, $20 million.

Hon. Mr. Auld: No, I said $50 million. Just for his information that total of operating and capital surplus has increased a little each year in the last three years.

Mr. Bounsall: They are in a position where it is not realistic of you to expect them to be shared around. Let me tell you another thing that's important. Gone are the days when we were in an increasing enrolment situation. It was very simple and easy for the government then, though one couldn't always predict with any great accuracy the amount of the increase, to tie it to a formula and to get away from sitting down with the universities in the province once a year and talking to them about what their actual needs were. I can quite see that in an expanding situation to formularize it was an easy, not too inequitable and plausible thing to do.

When you've reached the position where enrolments have been levelling off or increasing only slightly or decreasing only slightly by an amount of increase or decrease you can't predict, you've gone behind the time when you can just leave it in a formula. Maybe some part of the formula can be left to a formula but you've reached that time when you are going to have to sit down, carefully look at the universities' expenditures, carefully look at the universities' needs and arrive at their funding position via that route.

The disadvantage has always been that some particular university president or whoever he brings to these meetings is much more of an entrepreneur than others and the fear is they'll manage to extract more than their fair share. If the minister says there is $50 million unencumbered and that has been growing and he wants that shared around, he has a responsibility, if he feels that some of those unencumbered funds should not have been there in the first place and should not have been put aside that way, to get off his formula financing and devise another means—and it may well be individual consultation with the universities—to determine what their needs are as a means of funding for the future, rather than the present situation of slip-year financing.

The universities can no longer look at the long-term problem. There are tremendous liabilities building up in unfunded pension funds and they have to use operating funds to stabilize those pension plans. At the moment, there are not that many faculty members retiring. They can look ahead and see in the not too distant future that funds are going to start to pour out at a great rate from pension funds in payments to pensioners. Those funds are unfunded and they are worried about the extent of unfunding. Their only alternative is to put operating money into it, operating money, which in fact they don't have.

Mr. Chairman, I could go on much longer but I think I will leave the situation there. The minister knows of my concerns. I am very concerned about the total funding for this year and next year, leaving the universities collectively in a deficit situation. Some are more so than others. Three or four of them bear much of the majority of that deficit.

For this coming year, the funds you've allowed, if you want a balanced budget, allow for only a six per cent increase in faculty and staff salaries, and some of those staff salaries are on a two-year collective agreement for amounts more than that. For every one per cent above that we are talking $5 million collective deficit. That really is serious, and the minister should take steps to do something about it.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman. I'd like to speak on this item particularly in relation to the very serious situation at Lakehead University, the university of northwestern Ontario.

I must admit I have a soft spot in my heart for Lakehead University. When it was the old Lakehead Technical Institute, which

offered only one year of university programming and two years of technical programming, I was able to go to it simply because it was in my home town. I would never have been able to go to university and to continue my university career at another institution if I hadn't been able to save the money by going to Lakehead the first year.

I think that Lakehead University, probably more than most others, if not all the others, serves as a very definite regional university. It services the people of northwestern Ontario very well and very fully. It has certainly made every effort to do that in its history, and particularly in the last few years.

There recently has been a large amount of concern in Thunder Bay because of statements by the president of the university and because of a brief that was presented to the Ontario Council on University Affairs. Headlines in Thunder Bay read quite bluntly: "Support Lakehead University or Close It." That is the way some of the administration at Lakehead see the situation at the present time.

When the matter was raised briefly in the House during question period, I admit that the minister said that he thought it would be "unthinkable for Lakehead University to close," but that he could not stop them from closing. I want to assure the minister that neither the people of northwestern Ontario nor the administration of Lakehead University want to close it.

Lakehead University is in many ways one of the best, if not the best thing that has ever happened to northwestern Ontario—both in terms of a developing industry and in terms of an educational institution that has served the people of the area; so that people who did not come from families with high incomes could go to university.

If universal accessibility to post-secondary education is a principle that we in this province give lip service to, the province must support Lakehead and must keep it alive and well.

I want very briefly, if I might, to summarize some of the problems that the university faces. The minister is probably aware of some of these problems, because he has been written to directly by the present chairman of the board of governors and, I believe, by the president.

I think that it should be pointed out that neither the administration, the faculty, nor the people of northwestern Ontario want to see a disruption of the university system. In fact, they would have some disagreement with my colleague from Windsor West, in that they would support the continuance of the BIU formula financing system.

All I want to put to the minister is that in that formula, which gives the grant per student enrolled, there should perhaps be worked in some additional factors that take cognizance of the conditions facing the four emerging universities, particularly Lakehead. Those factors may very well be the enormously extra high costs that Lakehead faces if it wants to put on an extension programme that truly serves all of the people of northwestern Ontario.

It's a truism, Mr. Chairman, that northwestern Ontario alone—not northern Ontario, but northwestern Ontario alone; the five electoral ridings that comprise that area—make up 58.2 per cent of the land mass of the province. Granted we have a population of somewhere arounld 300,000 people but in terms of putting on extension courses in Manitouwadge or Red Lake or Big Trout Lake or any place in that region which deserves to have extension courses for the people who can take advantage of them, extraordinarily high travel and administration costs are incurred. In Red Lake it may be possible to get only an enrolment of eight for an extension programme in any of the academic subjects, but surely it should be the right of those people in that community to have that service. They should not be penalized because they are, in fact, in the frontier portion of the province.

There is a limit; there is no quarrel with that. And there is no quarrel from the Lakehead University administration that the monetary situation and the money should be carefully monitored; that the spending should not be unduly unreasonable. But we get to the point of asking what is a university and I think you can argue with some jusification, Mr. Chairman, that a university, for example, that does not offer a philosophy course is not a university. A university that does not offer classics is not truly a university. And a university that cannot by its nature put on science extension courses in the region is not really serving the science aspect of the university in its extension programme.

I think that what this boils down to is basically this: That new schemes for funding are necessary; they should be carefully looked at. I have no objection if they are tied to a BIU formula, as long as that BIU formula is sensitive to the needs of the region.

In the per-pupil grant that we give at the elementary and the secondary level, for example, there are all kinds of weighting factors. I would argue that often that is not sensitive enough to the needs of the communities that those schools serve, but at least it's a model that the Minister of Colleges and Universities should look at. In the case of the northern universities they should look at—include as a weighting factor to favour places like the Lakehead and Laurentian—the sparsity or density of the population of the region they serve, so that you can take into account the high cost of travel and the putting on of extension courses in that region.

You should look at the high repair costs for scientific and technical equipment for a university like Lakehead, because often that equipment needs specialist servicing, so if you have to repair a sensitive piece of scientific equipment you have to call the serviceman in from Toronto, or Chicago, or Winnipeg, which is not unreasonable, but the university must take the expense of paying that man's air fare and so on out of its ordinary operational budget. The universities of southern Ontario don't have that problem.

The very simple fact that it has been below freezing in Thunder Bay for six weeks before it gets to that temperature in southern Ontario and continues for eight weeks afterwards—below freezing, not below zero—means that there are extraordinarily high heating and repair costs because of the harshness of the winter.

Mr. J. H. Jessiman (Fort William): Beautiful weather in Fort William.

Mr. Foulds: The member for Fort William doesn't agree with me, and that is largely because he spends all of January in Florida. He hasn't experienced the northwestern Ontario winter for some time, at least the peak of it.

Mr. Jessiman: No. I'm not—

Mr. J. E. Stokes (Thunder Bay): Are you denying that building costs are more in northwestern Ontario.

Mr. Jessiman: No, I didn't say that.

Mr. Foulds: Fine.

Mr. Jessiman: You simply can't make that excuse. It is not that cold.

Mr. Foulds: The repair and building costs are higher and the winters do cause more shifts and breakage of windows and that kind of thing.

Mr. E. M. Havrot (Timiskaming): Costs of houses are higher.

Mr. Foulds: Then there is a fourth factor that I want to mention that should be taken into consideration, if we are going to maintain the quality of the faculty of Lakehead Universities. A number of the people on the staff are very first rate indeed. If we are going to maintain their academic excellence, they should have extra travel allowance. At least the faculty administration should have extra travel allowance so that they can travel from Thunder Bay to those areas where the learned societies meet and conferences are held having to do with academic matters.

In other words, it is essential for the faculty at Lakehead University to have some contact and some stimulation from their academic peers. Although they can do that internally, they are restricted in the sense that there may be only one specialist in one area, say in the physics department. His colleagues may be very knowledgeable and learned men in their other specialist areas, but he doesn't have anyone in his area with which to trade ideas. That should be taken into consideration.

I have experienced this as a member of the Legislature. Since I was elected in 1971, the return economy fare from Thunder Bay to Toronto has gone from $72 to $113, with the new tax. At Lakehead, they used to budget about $100 for a faculty member coming to Toronto for a conference, or a committee meeting—or what have you. That used to cover it. There was $72 for the fare and he could have his hotel room; but he would have to pick up the cost of his own meals.

Now they can't even do that. He can't even fly. You have to drop him off over Owen Sound or some place if he is coming down on the plane.

An hon. member: Hitchhike.

Mr. Foulds: And hitchhike the rest of the way.

These are special factors and I want to suggest to the minister that it is a possibility to work these factors into an actuarially sound, carefully monitored weighting system in the BIU formula. I want to suggest that to him as a possibility.

I feel very strongly about it. I think Lakehead, more than any other university—with the possible exception of Laurentian—is a blue-collar university. The average income of parents of students at Lakehead is much below the average for the province. I think

the average income of the family of the student enrolled at Lakehead is somewhere around $7,000 a year; whereas the average for the province is somewhere around $9,000. It seems to me that Lakehead is serving its true function. It is serving the people of the area who wouldn't otherwise get to university.

Without unduly taking up the time of the House, I want to put to the minister those considerations. In another area, there is absolutely no doubt about all those traditional extra costs of the north applying. The member for Thunder Bay talks about them. The member for Cochrane South talks about them. And I talk about them. Books cost more up there. It simply happens that way. Paper costs more. Periodicals cost more, especially if you have to order them in.

The deficit that they project, as I understand it, is approximately $1.7 million.

What I want to get from the minister—and I think what Mr. Philpott asked in his letter to the minister—is a public commitment that the ministry will not let Lakehead University go down the drain.

What I ask the minister to do is to make the commitment that the university will not have to cut back on half its faculty to balance its books. I ask that the minister make the commitment that this government is committed to keeping Lakehead University alive and well and functioning as a true university —not functioning as a diploma mill college; not functioning as a technical institute—although, in certain terms, those functions are part of its mandate.

I just want to refer very briefly to the letter of Mr. Philpott that the minister has received. He said in his letter to the minister:

> The alternative to this kind of commitment from the ministry would be to achieve a balanced budget by terminating the services of from 75 to 120 of our faculty of 220, which, of course, would simply destroy the university from within, and the student response would close our doors within the next year.

Neither the administration nor the president sees that as a viable alternative. They don't want to do that. They won't do it, but they are looking for some assurance from the minister that the government will find means so that that does not have to happen.

> The various media gave the meeting between Lakehead University and the Ontario Council on University Affairs full publicity, and the "moccasin telegraph" within the university has contributed its share. The net result is an atmosphere of unrest among the student body as to the security of the future of Lakehead University, with some of them actively considering application elsewhere and others starting to think about it seriously.
>
> We, as a board, cannot conceive that our government will permit this university to close. However, in view of your directive, as announced at the meeting of Nov. 14 and in the House on Nov. 18, regarding continuing operating deficits, I personally cannot provide any public guarantee of assurance that we shall be able to continue to function as a university.
>
> To sum up, we feel that we must have some assurance from your ministry, something that we may make public, to reassure our students and faculty that the public purse, which founded this university, with large private donations from this area as well as grants, will keep it alive and vital, serving northwestern Ontario in the future just as it has in recent years.
>
> There is some degree of urgency about this matter, in our considered opinion. I hope, therefore, that you and your deputy minister will consider our problem and, hopefully, provide us with the necessary assurances about our immediate future by the early part of January.

I think that that's an assurance that the minister should give this House right now, during these estimates.

I want to mention just one other factor, and that is the role of the Ontario Council on University Affairs. I would hope that the minister will not use that council as a camouflage procedure. The university went to a lot of trouble preparing a brief and putting its case to the council. I would hope that the council, which seemed very sympathetic—I was at the meeting, I heard the brief, I saw the council response—would not merely be sloughed off in terms of its recommendations to the minister.

But technically, because of the way the legislation is drawn, the council has only the right to report to the minister on matters that the minister refers to it. I would hope that the minister would agree with the statement made by the chairman of the council, I believe in late September, that it considers its role to have some initiative function. If it does not, then it is simply a straw man, and we're going through an exercise in futility.

To sum up then, Mr. Chairman, I want to put to the minister as strongly as possible·

that the supplementary grants, although welcome, are not the solution to the problems of emerging universities like Lakehead; that a permanent base for ongoing financing must be found; that perhaps that base could be the BIU formula financing system, but have built in for, say, the four emerging universities—Brock, Trent, Laurentian and Lakehead—special weighting factors such as those we have in the elementary and secondary school panel; that they take into account the special travel and operational costs because of distance, the special expenditure costs associated with extension programmes, the social and economic makeup of the student enrolment and so on.

I would like the minister to make a commitment in this House that the ministry will work co-operatively with the board of governors and the administration of Lakehead University to ensure its continued health and existence. Thank you, Mr. Chairman.

Mr. Chairman: Does any other member wish to speak before the minister replies?

Mr. D. M. Deacon (York Centre): This is just in relation—

Mr. Chairman: I thought the minister wanted to answer some of these questions on vote 2502.

Hon. Mr. Auld: Mr. Chairman, I won't comment on all the matters that have been raised. I think I have given my position on most of them previously. There are one or two things I would like to mention, though.

The hon. member was speaking about Lakehead University. I would draw to his attention that the statement of the university as of April 30, 1974, indicated a total operating plant surplus and an endowment and trust fund of $2,149,000, which is up from April 30, 1972, by about a little more than half a million dollars. As a matter of fact, in this fiscal year the university at the Lakehead will receive an operating grant of $8,494,978, and of this $1,045,000 is a special grant that takes into account the size, the location and the mix of students.

I am the first to admit that Lakehead and one or two of the other institutions do have some problems regarding size, because there is a minimum size as far as students are concerned, and they have not reached it. In fact, Dr. Booth, the president, said not too long ago that without any additional staff they could handle, I believe, 50 students in engineering and probably 50 in forestry.

One of the things I have asked the Council on University Affairs to do is look at this situation, which certainly from a statistical point of view you might call a mal-distribution of students, where we have some institutions crowded and others with a whole lot of space and good faculty available.

That's one of the things, as I mentioned that I have asked the council to look at and to make recommendations to me. They have also been asked to look at the operating formula. The one thing that everybody agrees on with regard to the formula is that it isn't adequate. On the other hand, nobody has been able to agree on what changes should be made. I believe it was two years ago or perhaps longer that the Ontario Council of Universities, the universities' own organization, spent some little time on attempting to improve the formula but could not agree on what changes should be made. It may be that if we can't get consensus on a change in formula, we will simply have to change it ourselves. I would prefer, though, to have the co-operation of the universities in achieving this.

I have told both the board chairman and the presidents, together and separately, that we are anxious to sit down with them, if they ask us to, to give them what advice and assistance we can in their financial matters. They do have problems, there is no question about it; but I still repeat that if the provincial revenue is expected to increase by about 12 to 13 per cent, and the system as a whole is receiving an increase of 16.9 per cent, they are being fairly treated by comparison with all the other responsibilities of the province.

I am quite convinced that in perhaps a couple of years they will be able to get back into a viable operating situation as far as finances are concerned. As I mentioned last night, deficits to universities are not new; they have had them in the past. They have had problems and they have surmounted them. I believe that by working together we can achieve that same solution in the next two or three years, but I would be the first to say it won't happen overnight.

Mr. Foulds: Mr. Chairman, before we let this pass, the minister mentioned special grants but those are the supplementary grants. What I was trying to point out to the minister was that the supplementary grants come at the end of the fiscal year. They have a continuing effect of bailing out. What I'm trying to tell the minister is that he must anticipate and build in that, if you like, bailing out formula ahead of time.

I want a clear commitment from the minister that this government considers Lake-

head University an integral part of the university system of the province and it is not going to let it go down the drain. He has not given that commitment, Mr. Chairman, and I'm asking him to do so publicly.

Hon. Mr. Auld: Mr. Chairman, may I interrupt and say that I believe that all the universities should and will survive and I don't believe that everybody is going to fold up tomorrow. I have also said, when I was asked a direct question, I couldn't stop a university from folding up if it wanted to. I also said I thought that was highly unlikely, and that part was not reported.

Mr. Foulds: Unthinkable.

Mr. Stokes: That is ridiculous. It is not a case of anyone wanting them to fold up.

Mr. Foulds: The term that you used was "unthinkable" and that part was reported, but what you are not making any commitment on is that you consider it your ministry's responsibility to ensure the continuance of those universities that wish to continue. The Lakehead University wishes to continue. Will you give the assurance to the House with that that you will co-operatively work to make sure that it does?

Hon. Mr. Auld: I really think I just said that.

Mr. Chairman: Does vote 2502 carry?

Vote 2502 agreed to.

On vote 2504:

Mr. Chairman: The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Mr. Chairman, whenever we debate any aspect of this ministry it puts the members of this party in an untenable position—well, no, not untenable, but a difficult position—because whenever there is a dispute between the universities and the minstry, or between students and the ministry, we end up arguing for increased support to a system that's designed to maintain the status quo in our society in Ontario. I find that terribly repulsive, and I know it's going to be the problem when we come to debate the new Ministry of Culture and Recreation. The problem is going to be that we know the kind of culture and the kind of recreation which this government will lend its support to, even though we support the idea of increased delivery of culture and recreation to the people of Ontario.

Mr. J. R. Breithaupt (Kitchener): An election-year ministry.

Mr. Laughren: Yes, that's right.

What bothers me about the whole question of student aid is the matter of who gets student aid in Ontario and, backing up one step beyond that, what people even apply for student aid in Ontario. If one examines the attendance at our universities in Ontario, it's very obvious that we're still catering to the elite in our society and the universities are perpetuating that same system.

In a dispute between the universities and the ministry one is inclined to say, "A pox on both their houses," because neither one has made any commitment whatsoever to changing the kind of society we have in this province since it is in both their vested interests to maintain it as it is now. You need only look at the boards of governors of the various institutions to see that there's really not going to be any serious attempt to build a different kind of society in Ontario because, of course, the elite that rules it is quite happy with it the way it is.

Interjection by an hon. member.

Mr. Laughren: Are you going to tell me that the board of governors at the University of Toronto—

Mr. I. Deans (Wentworth): The Ministry of Agriculture and Food estimates are over.

Mr. Laughren: —is representative of our society? I've never seen such a grotesque representation of society out there as the governing council of the University of Toronto. You could go to every university in the Province of Ontario and you could go to every community college in Ontario and you would get the same kind of representation on the governing bodies, and you know that's true. The minister knows it's true. The governors are handpicked by this minister.

Mr. Havrot: Are you making a political speech or are you on estimates?

Mr. Laughren: You think that this chamber is not the place to make a political speech? That's coming from the anti-academic member for Timiskaming, I might add.

Mr. Stokes: He just couldn't help making it. He's the only university member from Timiskaming.

Interjections by hon. members.

Mr. Havrot: You spend more time in this House on nonsense. You just make plain nonsense.

Interjections by hon. members.

Mr. Laughren: Yes, I see. When the member from Maple Mountain makes a plea for a community college on top of that mountain, then we'll listen to him.

Mr. Havrot: You should slide down Maple Mountain on your head.

Mr. Laughren: You tell me how the member from Maple Mountain is going to sell tourism in that area when there are blackflies at the bottom and snow at the top year round in both cases.

Mr. Havrot: You wouldn't know what blackflies were.

Mr. Laughren: I certainly would; I have been in Timiskaming.

Mr. J. A. Taylor (Prince Edward-Lennox): Not for long though.

Mr. Laughren: To get back to the vote, Mr. Chairman—

Mr. Havrot: Let's get on with the business of the House, enough of this nonsense.

Mr. Laughren: Nonsense didn't creep into the discussion until you did.

Mr. Stokes: That is enough of those grunts, the agricultural estimates are over.

Mr. Laughren: The guru of grunt, as he's becoming known across Ontario.

Mr. H. C. Parrott (Oxford): Stop talking about your colleague that way, Jack.

Mr. Laughren: Mr. Chairman, if I could have the floor once again, I would like to make a couple of points about grants to students.

The present system of grants discriminates against a number of people. It discriminates against part-time students. If ever I have seen a joke, it's the ministry's programme on grants to part-time students. I don't know what you call it, but I believe you approve bank loans of $250 and guarantee an interest rate of 10 per cent from the time the loan is negotiated. I've never seen anything more insulting to part-time students. Of course we know that discriminates against women who would like to take their courses part-time as well.

It really is remarkable, Mr. Chairman, what the ministry has done to students in the Province of Ontario in the last three or four years, since Bill Davis abandoned the ministry. He at least tried to protect his constituency when he was the minister, but since then none of the ministers have. They've increased tuition fees. They've removed or reduced the scholarships for post-graduate students. They've raised the loan ceiling for student awards; and they've imposed tuition fees for nurses and teachers in the province.

That's some record of increasing accessibility for students in the Province of Ontario. When you consider the fact that inflation is compounding these problems, then the minister and this government are no more committed to increased accessibility to higher education in this province than I am to flying without wings.

One would have thought that given the recommendations of the Commission on Post-Secondary Education there would have been an attempt to make education truly more accessible in Ontario. But it just doesn't happen. The ministry is encouraging the same kind of education we've always had in Ontario, without any new ideas, without encouraging students out there who hitherto have been denied access to education to now take part in post-secondary education.

If one looks at the Franco-Ontarian population of Ontario, what is the ministry doing, given the fact, as brought out in the COPSE report, that half as many Franco-Ontarians receive degrees in Ontario as do Anglo-Ontarians? What is the minister doing about that? It is an obvious inequity in Ontario, and yet the minister makes no attempt to rectify it.

As though to make it worse, we are now being told that education is an individual responsibility and that students should be treated as consumers and should have to pay for that which they use.

I can tell you, Mr. Chairman, that as long as the system in Ontario supports the status quo as it does now, I'd have to come down on the side of that great pedagogue Paulo Freire when he says there are only two kinds of education. There's one kind that supports the status quo and conditions people from the time they enter the educational system until the time they leave it so they accept our system; or a kind of education that frees people up as individuals and teaches them to judge critically that which is around them.

There is no question but what in Ontario it is the former that the students are getting;

and there is no question but what that it is a deliberate programme of conditioning by the Ontario government.

Mr. J. A. Taylor: You don't believe that.

Mr. Laughren: Yes; and the elite Tories to my left are products of that system, so I'm not surprised at all that they feel that way.

Mr. Deans: They are conditioned to go to Bay St.

Mr. J. A. Taylor: That shows how little you know.

Interjection by an hon. member.

Mr. Laughren: Well, that shows you how little you know about it. It seems that as soon as we stand up in this chamber and challenge the economic system we've got here the members of the Conservative Party feel somehow personally insulted.

Mr. Havrot: You are not suffering any pain.

Interjection by an hon. member.

Mr. Laughren: Maybe you should be personally insulted, that's right. As long as you continue to perpetuate the system we've got there now, which is really there to churn out products for our economic system, then neither the universities nor the ministry will have my support.

Thank you, Mr. Chairman.

Mr. Havrot: Look what we got from you.

Mr. Deans: Aren't you going to make a speech?

Mr. Havrot: I wouldn't waste the time of the House on a speech like that.

Mr. Chairman: Is vote 2504 carried?

Vote 2504 agreed to.

Mr. Chairman: That completes the supplementary estimates of the Ministry of Colleges and Universities.

SUPPLEMENTARY ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Mr. Laughren: Here is another winner.

On vote 2601:

Mrs. M. Campbell (St. George): Mr. Chairman, I wonder if we could invite the minister to make a statement prior to opening these estimates. Some of my fears may be allayed and we might shorten the debate if we could ask the minister to do that, Mr. Chairman.

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Chairman, I would be very pleased to give a brief statement on the $30.4 million in the three votes before us.

In the first vote, 2601, about $1 million is required in order to provide funds in the ministry's administration programme. A portion of this amount of money is required in order to facilitate the workings at the capital services branch of our ministry, and to administer the Ontario GAINS programme—mainly for field workers.

The second vote, 2602, contains the largest amount—$17.3 million. This is required to implement the rate increases for recipients of both family benefits and general welfare that were announced effective Oct. 1 of this year.

Vote 2603, the last vote, is our social and institutional services programme. The total of $12 million is divided into two parts—capital and operating. The first component, the capital, is roughly $6 million and it has three components: $1.1 million for the Homes for Retarded Persons Act; $2.7 million for the Day Nurseries Act; and $2.1 million for the Vocational Rehabilitation Services Act. The latter is for increases to the sheltered workshops. These increases in capital expenditures reflect the government's new thrust in community services to the retarded as well as the desire to encourage the building of more daycare facilities for all groups with definite needs.

Mr. Chairman, I could elaborate on any of these items under each vote.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: Mr. Chairman, as we are confined to taking this, I suppose, line by line, it is difficult to get to the root of my concerns with three supplementary estimates.

Mr. Chairman: If it is agreed, why don't we take vote 2601 as a whole? Does that suit the hon. minister?

Hon. Mr. Brunelle: Whatever the hon. members wish, Mr. Chairman.

Mrs. Campbell: I don't think I can develop what I have in mind unless I can at least cover the whole of 2601 in my comments.

Mr. Chairman: We'll deal with vote 2601 as a whole.

Mrs. Campbell: Thank you. If you look at the various items considered here, there are some things that come to mind to which we are asked to provide additional funds.

I would like the minister to advise me whether Betty Graham is still with this ministry. Would he then advise me as to what real thrust Betty Graham and that group has in relation to legislation which comes before this House from other ministries? Are they there simply as a token? If they are, I'd like to know how much there is for them.

Perhaps they should be deleted if we want to honestly face the situation of the status of women in this province. If they are there to serve a useful purpose, I was saddened not to see them when we were discussing the humiliating position of women as we went through the Employment Standards Act. Where do they act and how do they assist in any way?

Is there anything in these supplementary estimates which would indicate the funding available for International Women's Year? We talk about it. The function is in your ministry—not that particular function, but we couldn't find out either from the provincial secretary. If you have this function in your ministry, there should be supplementary estimates for it here if it's going to work, and I take it there really isn't.

That is one of my major concerns. I would like to know if in these supplementary estimates we are indicating a development of programmes to assist the elderly in the housing in which they live. That is something that we asked the provincial secretary about, but unfortunately she was unable to answer the question before, and somebody has to have an answer to it.

You see, for us who are concerned with the quality of care to the people who desperately need our concerns, it's so easy for us to say, "Supplementary estimates, great!," but supplementary estimates is wages and salaries; to what extent is it a delivery of service to these people? And so you look at the items, the component parts of vote 2601, and what we are doing is to ensure that we have the administration, and ensure that we have the dollars for salaries, for wages, but we aren't really ensuring any greater standard of care for those who require it, particularly at this time of the year.

It was interesting that the minister did point out that some of this pertained to salaries and wages for field workers involved in the GAINS programme. If it meant that the minister was committing to us today—

Mr. Deans: Mr. Chairman, if I may, on a point of order, there is not a quorum as I count. I think it's up to the government to keep a quorum in the House, by the way, since they want to sit at 10 in the morning.

Mr. Laughren: That's right. They want to sit the extra hours; but there are only six or seven Tories debating in the Community and Social Services estimates.

Clerk of the House: Mr. Chairman, there is not a quorum present.

Mr. Deans: I am sorry, Mrs. Campbell, but this 10 in the morning is nonsense and they should at least be here.

Mrs. Campbell: I think at least the House leader might be here when he has—

Mr. Chairman: Ring the bells.

Some hon. members: Ring the bells.

Mr. Laughren: The provincial secretary perhaps, too.

Will they ring the bells?

Mr. Deans: Yes.

Mr. Chairman ordered that the bells be rung for four minutes.

Mr. Chairman: We now have a quorum. Will the member for St. George proceed?

Mrs. Campbell: If I may, I would prefer to wait until the minister took his seat, Mr. Chairman.

The minister specifically stated that some of this additional funding was for field workers in the GAINS programme. In the normal course, we would welcome the fact that this was so, if coupled with that there was the statement that the government actually was bringing forward in supplementary estimates a commitment to reviewing in a meaningful way those cases where people are unemployed handicapped, but not regarded as handicapped for the purposes of GAINS but merely as unemployable. If this were the thrust of these estimates instead of just salaries and wages, I would not be speaking I think, because I would be applauding the minister for taking this step.

There is nothing more unreal than the way in which this ministry looks at a person who, for example, is 60 years of age, a person who is under medical care, a person who is in and out of hospital from time to time. All we do is come up with the statement: "They are not handicapped, they are unemployable and

therefore are at the bottom of the heap so far as assistance is concerned."

Mr. Chairman, I would like to know at this point the salaries and wages that go to support a group of women, presumably to assist us in this ministry.

We have another group in the Labour ministry. If they're not able to function, if they're there only to enable this government to point with pride, then I suggest that perhaps we'd better scrap it and start the fight from the beginning, all over again. Then you wouldn't need these supplementary estimates.

Have they any kind of thrust to you or to anyone, when this government decides it will punish women for seeking equality? That's what you did with the Employment Standards Act. You said, "We will take away the protection that women were entitled to before, but we won't give them equality because we're not ready to do that yet." Where are the women in your ministry? What is their responsibility? If they haven't any input, then we're paying for a camouflage, for a charade that I'm not prepared to pay for.

Mr. Chairman, I have nothing further to add on this vote, save and except to say that I really am not very happy to be asked to pass additional salaries and wages under these circumstances. Thank you, Mr. Chairman.

Mr. Chairman: The hon. member for Cochrane South.

Mr. Ferrier: I would like to ask a question or two about programme development and delivery administration in connection with your regulations for unemployable and disabled. The minister in a letter said to me that part of this was laid down under the Canada Assistance Act, whereby this is written into the Act and the regulations of the province have to correspond to those of the federal government. I believe the minister has had meetings with his federal counterparts as late as the week of Nov. 18 or so. I hope this was one of the matters that was discussed.

This is a matter of great contention. People who are unemployable just cannot see the justice of not being treated the same as those who are disabled. The arguments have been put very forcefully by many people. I just cannot see that there is a distinction between the two. You've told me in correspondence that you were going to try to put as many as possible of the provincial recipients on the GAINS programme, but you were inhibited to some extent by the federal government Act. What headway have you made in removing that restrictive clause in the federal government's regulations and when will it be possible to treat equally all people who must depend upon provincial assistance for their means of living and to remove this injustice that is there which causes so much disturbance to so many people? It just can't be justified in any stretch of the imagination.

I would like you to comment on that, if you would, please.

Hon. Mr. Brunelle: Mr. Chairman, as the hon. member has indicated, there have been some discussions with the federal government. I'd like to say to the hon. member that under the Canada Assistance Plan there are some very stringent regulations. I'll give you one example. Up until we made representation a few months ago, the liquid assets for single persons was only $1,000 and it has been that way, I believe, since about 1966. I recommended to the federal authorities that this be raised and at least be doubled to $2,000. After some consideration, they wrote back and said they would agree up to $1,500. So I just mention that as an example of the difficulty we have.

If we want to share under the Canada Assistance Plan—and they pay half of all our allowances that meet their criteria—we have to adhere to their rules. We have made representations and we are continuing to meet with them to see if there can't be some relaxation, because I feel very strongly that if the liquid assets allowable were $1,000 six years ago, surely they should be double today. We have made some progress, but not as much as I would like to have.

We have transferred close to 6,000 people into the GAINS programme, I believe, since the programme was announced on July 1; we started with those from 65 to 60 years of age, and then from 60 to 55 years of age. But, as the hon. member knows, there is a certain number who are classified as more or less permanently unemployable who do not meet the criteria of the federal government under the Canada Assistance Plan. The reason that the blind and others like them are easily classified is that they have some expenses that are higher—for a wheelchair, prosthetics and so forth—than a person who is perhaps unemployable for only a limited period of time.

Mrs. Campbell: Mr. Chairman, is the minister going to answer my questions or is he just picking and choosing?

Hon. Mr. Brunelle: Mr. Chairman. I didn't intend to disregard the hon. member for St. George. She left and the hon. member for Cochrane South spoke.

Mr. Chairman, we are dealing with the supplementary estimates. With reference to Miss Betty Graham, as the hon. member knows, there is a women's bureau in the ministry of my colleague, the Minister of Labour (Mr. MacBeth).

Mrs. Campbell: I know that.

Hon. Mr. Brunelle: Miss Graham, with a staff of two or three and a very small budget—

Mrs. Campbell: Exactly.

Hon. Mr. Brunelle: —has as her main responsibility to see that the female employees of our ministry—we have perhaps 10,000 employees, and probably more than half are women—are given every consideration under our ministry. Miss Graham is also a member of the women's council, and there is co-ordination there.

Mrs. Campbell: Whatever it is.

Hon. Mr. Brunelle: I don't want to get into a philosophical discussion with the hon. member on the rights of women, although I agree that there is certainly room for improvement. In the regular estimates, which we debated in June, there are funds for Miss Graham's programme, but there is no additional money in these supplementary estimates.

If I could review the items briefly, Mr. Chairman, the first one, item 4, for $172,000, is capital funding required for capital services, mainly the daycare programme. In addition, as the hon. member knows, we have increased substantially our recreational programme, so this capital funding looks after additional staff. The second item, item 5, for $29,000, comprises $19,000 for the daycare council and $10,000 for supporting staff. The third item, for $390,000, referred to as item 8, is for 20 field workers who will be looking after the elderly, those 65 years of age and over, in the GAINS programme. The last item for $360,000, is for the increase in funds resulting again from the GAINS programme for the drugs and the disabled who come under our ministry.

Mrs. Campbell: Mr. Chairman, now that the minister has answered, I would like some clarification. If we have provision in this vote for funding of day care, under what regulations are we functioning at this point in time? The old ones, or are there new ones?

Hon. Mr. Brunelle: As the hon. member knows, I have appointed an advisory council on day care and they're looking at the best way the regulations can be implemented. We're still operating under the existing ones.

Mrs. Campbell: And will, I trust, for some period of time at least.

Hon. Mr. Brunelle: Yes. They will be submitting a progress report and those who are interested will be able to receive copies of the work they've done. They've done some very valuable work, but, as the hon. member knows, it will take some time. They need research. They need to obtain as good advice as possible, and I'm very optimistic that they will come out with some very, very good regulations.

Mrs. Campbell: Mr. Chairman, I am delighted to know that now we're going to research the regulations which were to be introduced so many months ago. I commend the minister, in all sincerity, for the aproach he has taken to these proposed new regulations. I did ask the question whether there was anything in this vote of a supplementary nature for delivery of services to the elderly, specifically.

Hon. Mr. Brunelle: Not in this vote, Mr. Chairman, but I would like to say that it's certainly an area that we're most interested in and that we're improving. For instance, just in the last week our regulations were being amended to provide more assistance for homemakers' services to the elderly and those in their own homes.

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. I want to go back to the point raised by my colleague from Cochrane South. Did I understand the minister to say that because the regulations set down by the federal government were not sufficiently broad, and that because the 50 per cent payment that the federal government made to the province for assistance for the unemployable was less than half of the amount which they might normally qualify for under the GAINS programme, the provincial government wasn't prepared to go ahead and to raise the level of payment under GAINS to everyone who is considered to be unemployable?

Hon. Mr. Brunelle: Mr. Chairman, as the hon. member knows, the GAINS programme has two components, those who are 65 years of age and over—

Mr. Deans: I don't want to talk about that right now.

Hon. Mr. Brunelle: We get the list from Ottawa and all those who are eligible to receive the guaranteed income supplement are eligible under the GAINS programme.

As the hon. member knows, eligibility to receive the guaranteed income supplement is based on an income test. The other component in the GAINS programme are those who are under 65 years of age and who are disabled. The criterion used there is a needs test. They were formerly under the Family Benefits Act and the Family Benefits Act is a needs test for those who are in need. The needs test is a fairly stringent test that the federal government has implemented and it applies to all provinces.

In order for us to utilize federal assistance —I think the hon. member is in agreement that we should utilize federal funds as much as possible—they have told us that if we do not use their criteria the funding would have to be 100 per cent from the province so, therefore, we feel that we are more or less restricted to using the criteria under the Canada Assistance Plan.

Mr. Deans: Can you tell me what it would cost the Province of Ontario to put all the people who are currently in the category of unemployable under a programme similar to GAINS, in total cost, without any federal participation whatsoever?

Hon. Mr. Brunelle: I'm just guessing, Mr. Chairman, when I use the figure of $10 million. My staff tells me it would be more than $10 million. Would it be about $15 million?

Mr. Deans: Don't guess for a minute.

Hon. Mr. Brunelle: It would be more than $10 million if we—

Mr. Deans: Let's talk about it for a second. Let's assume that it would be $20 million, just for the sake of argument. It may be less, it may be more. But, obviously, for a great number of people they would qualify for assistance under the federal government programme, therefore that would reduce it somewhat.

The question that comes to my mind, recognizing the tremendous difficulties that people who are judged to be unemployable have, is whether or not we in the Province of Ontario, given the tremendous wealth that we have, can't afford a sufficient amount of money—$15 million, perhaps—to provide them with an income level that will allow them tc live in dignity and with some reasonable sense of worth in this province.

I can appreciate that you would want—I'm sorry, are you finished?

Mr. A. J. Roy (Ottawa East): I'm just saying good morning to the chairman.

An hon. member: He's heckling.

Mr. Deans: Oh, I just thought maybe you had something you wanted to say.

Mr. E. Sargent (Grey-Bruce): Pretty sensitive.

Mr. Deans: Yes, I'm sensitive in the morning, I really am.

Mr. Sargent: Did you bring your hockey stick?

Mr. Deans: No, I didn't.

I can't help asking myself what it is. I can appreciate that the minister wants to take full advantage of government money from Ottawa. I can appreciate that you don't want to spend a cent more of the money of Ontario's taxpayers than you absolutely have to. I can understand that you might prefer that the federal government will have to change their regulations in order to broaden them, in order to allow more people to come within the ambit of those regulations. I can appreciate that maybe you feel personally very sensitive towards the needs of those people.

I am not depreciating any of those things. But I don't understand how we can have a category of people who are, in fact, unemployable—through no fault of their own in most instances—whose chances of having a reasonable existence, let alone a reasonable life style in the Province of Ontario, are severely inhibited and restricted; and how we can allow $5 million, $6 million, $7 million, or maybe even $10 million, to make the difference. This might be the difference between the money we could get legitimately within the guidelines for those who fall within the guidelines and what it would cost to provide some kind of a programme parallel to GAINS—if not integrated with GAINS—that would enable them to have an income level sufficient to live reasonably in the province.

I've never been able to understand it. I suppose I've spoken about this in a variety

of different forms since 1967. I've kept asking the question: "What is it about the society that we create that it doesn't feel any sense of responsibility towards people who can't make it on their own?"

I'm not talking about those who sit on their backsides day after day by their own volition and by their own decision. I'm talking about people who legitimately cannot make it. Who don't have what it takes. These are those who are injured, those who are born with some disability, those who go blind through no fault of their own.

Why is it we can allow $10 million to stand in the way? We can build a sports complex at Oakville. We can devote all kinds of public money to any number of different kinds of useless programmes.

Mrs. Campbell: Like Krauss-Maffei.

Mr. Deans: Like Krauss-Maffei. And yet we fail when it comes to dealing with the legitimate needs of a segment of society—a very small segment of society—who have no recourse whatsoever; who have no way of obtaining for themselves an income level sufficient to allow them to live in this grossly-inflated economy which you have helped create. And then you say to us: "We would like the federal government to change it. We wish the regulations were broader. We want to take full advantage of the grants available."

Mrs. Campbell: Whose definition are you relying on for GAINS?

Mr. Deans: I applaud you for wanting to take advantage of the grants, I really do. But damn it all, between now and the time that those things happen, surely we can afford to look after the needs of those people at an income level that would be the equivalent to what you would pay them if you were able to take advantage of the GAINS programme.

I don't know—it causes me no end of aggravation when I think about it. I want the federal money, too, and I don't want to take the chance of losing it. But surely to heaven those people are more important than those dollars at this particular point in time?

If we were talking about an overall income maintenance programme to cover everybody in the Province of Ontario, a guaranteed income of some kind that everyone could take advantage of, then we are talking in billions of dollars perhaps. When we are talking literally about a handful of people scattered all over the province who are deprived day in and day out of the things that they normally should be able to expect in the society of Ontario with its triple-A rating, then I think that you put aside what you would like to get from Ottawa. You continue the argument with them, you make your presentations to them, you do all of the things that are necessary to some day get them to change their minds, but in the meantime you make the money available. You make the money available to cover the legitimate needs of those people.

I suppose that is really what my colleague is talking about. That's what we are talking about, and I think the member for St. George too. I think maybe you are talking about it as well. I just don't understand it. You can't possibly tell me that the Management Board of Cabinet that you go before or whatever the cabinet board is that you go before for money, where you say to them we've got X thousands of people in the Province of Ontario whose income levels are far below what we think is reasonable, and although we can get the money from Ottawa, we think we should be setting aside additional dollars to raise their level up to something equivalent to that which they would get under GAINS if it were available to them, has turned you down.

Are you telling me that that has happened? Did they turn you down? Because if they turned you down, then I've got to really question the priorities of this government. That's really at the heart of it. Surely it's more important that we recognize the needs of those people than that we spent money on Krauss-Maffei, as my colleague has said, or we spend money on all of the other quite important things that will no doubt benefit all numbers of people now and in the years to come, but that do absolutely nothing to satisfy what is a human need today.

I'm asking you as clearly as I can to do it. I would spend the additional money. I would use my triple-A rating and I would spend the additional money. I would say to the cabinet, if I were you, "Look, we can't wait for Ottawa any more. We've waited long enough. If they don't understand the need, that's too damn bad. We are going to do it anyway. We are going to lead the way."

The people of Ontario will support that. I haven't had a single complaint from anyone in all the time that I have been in politics about the level of payment paid to people who were permanently unemployable or judged to be unemployable being too high. In fact, the truth of the matter is

that the majority of the people don't know what the payment is. And they don't much care. But they do hope, I think, given the commitment they have to each other, that maybe the payment would be sufficiently high to allow people to live reasonably.

Don't use the Ottawa excuse because it's really only an excuse. It's a legitimate excuse, but it's not—

Mrs. Campbell: No, it is not.

Mr. Deans: —legitimate enough to justify not doing it. It's only legitimate to the extent that it means you are going to carry on dialogue and conversation and you are going to try and put pressure on them, but in the meantime you are going to make the payments anyway.

I just can't accept that we sit and wait until Ottawa. I want to talk about something else but I'd like to hear what you have to say.

Hon. Mr. Brunelle: Mr. Chairman, I think there is a lot in what the hon. member says. Personally, I'm not unsympathetic to the permanently unemployables and, as the hon. member mentioned, there isn't that large a number. It's a very grey area, a very difficult line to define those who are permanently unemployable and the disabled.

Mr. J. A. Renwick (Riverdale): It is not difficult, except if you have a weird standard, then you really get into difficulty.

Mrs. Campbell: That's right.

Mr. Chairman: Order, please.

Mr. Renwick: Let's not talk about the difficulty of that problem. Let's have a certain sense of charity about what you are involved in. You know as well as I do that that is a ridiculous standard.

Mr. Chairman: Order, please.

Hon. Mr. Brunelle: I would say, Mr. Chairman, to the hon. member for Wentworth, that it is a matter we are still considering. We have our own income security review and, as the hon. member knows, we are working also with the federal government. It is one that we are considering. As I said, it certainly is a grey area and it's one where there could be improvements.

Mr. Deans: When you talk about grey areas, you have got to think of them in terms of being pretty bleak, because that's the way things are for people who are in that position. You would honestly think—

Mr. Renwick: It's like getting up every morning with the sky overcast.

Mr. Deans: —it might be possible, given the small numbers of people we are talking about, to make that a priority among all the priorities, to honestly sit down and say we are going to make that a priority, we are going to come to a decision about it and we are going to do something about it.

Mr. Renwick: They are not interested.

Mr. Deans: My recollection of the debates of years gone by is not as clear this morning as it might normally be, but let me tell you something, Mr. Chairman.

An hon. member: It's a bit foggy.

Mr. Deans: Well, it's a wee bit foggy because I didn't want to sit at 10 o'clock in the morning; that is the truth.

Mr. Roy: I hadn't really noticed.

Mr. Deans: When I think back I know we have had this discussion in previous years. It has not exactly been centred on the same criteria but the same discussion has been carried on in this last number of years about these same people. They sit and they wait, and it always seems to me that we end up talking about it on Christmas Eve. I don't know why it is; it's got something to do with the government psyche. We always end up talking about these people on Christmas Eve.

Mr. Renwick: We would even support another $50 handout bill at this time of year because you are so far behind now.

Mr. Deans: If you'd like to tell us that by the time we come back in January, you will have told your officials they must have a decision on this matter, and you are going to take it to the cabinet, then maybe that would be an acceptable proposition from you. But do you know something? That isn't happening. You talk about setting up boards, you talk about talking to Ottawa, and the only thing you don't talk about is what happens to those people while you are talking.

Hon. Mr. Brunelle: Mr. Chairman, in all fairness, we have transferred since July 1 as indicated earlier—

Mr. Renwick: It is not a grey area; it is grey people who are administering it.

Hon. Mr. Brunelle: —about 6,000 people.

Mr. Deans: I agree.

Hon. Mr. Brunelle: We have transferred at least 50 per cent in the last few months.

Mr. Deans: Good Lord, how many people have you in your ministry? It's a huge ministry with a massive budget.

Mr. Renwick: Put them all on and then take off the ones that aren't right.

Mr. Deans: You do this thing one by one. Some of these people will be dead before they get the money. Surely there is a better way. Surely you can go through it now and say this will be the level payable, and pay it; then do your negotiating. Just don't go on year after year with this, because it becomes almost sickening.

You are a pretty nice guy. Every single year you stand up and tell us how sorry you are for the people and how much you grieve for them and how you really agree there have to be changes made. It just tears at my heart, but the problem is that every year we have to raise the same things. If it isn't the elderly, if it isn't the mothers on mothers' allowance, if it isn't the disabled, if it isn't the handicapped, it is some group every year, and it gets to be a bit much.

I have something more to talk about.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: I just wanted to clarify this question of definition by citing an example. In my riding, as the minister knows, I drew to his attention the case of a man who was blind, who had lost one leg at the hip, who had lost part of a foot and initially was not entitled to GAINS. The definition of this was in your ministry, and I want to acknowledge my gratitude to the minister, in that when that case was drawn to his attention, the matter was straightened out. I use it only to point out that really the definition lies with the minister and with his ministry and that Ottawa, I am sure, will accept cases which can be defined by this ministry as those of handicapped people.

I would like a response to that because that is one clear case. Ottawa couldn't be blamed for that. The definition was right here and that man had to have his member of this Legislature fight to get him on GAINS.

There are many, many other cases, for example, heart conditions. I have seen the doctors' letters. There are doctors who say these people are permanently handicapped. There may be grey areas that are apart from all of this, but let's get with those that are clearly definably, medically permanently handicapped and get them out of the unemployable definition into that of the handicapped. From any discussion I have had with Ottawa, the situation is that if that is your determination, there isn't a problem with their funding. Thank you, Mr. Chairman.

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, just a couple of words. First of all I want to make it absolutely clear that as far as I am concerned and this group is concerned, we are not letting the federal government off the hook in this regard.

Mrs. Campbell: Neither are we.

Mr. Young: The government there is perfectly willing to ensure its own security, as it tried to do this week, without the security of this particular group of people in desperate need in a way that they themselves are not and never were.

Mr. Renwick: They talk about their taxing power, but they never exercise it for the poor.

Mr. Young: Right, but that aside, the fact is that this government does face this responsibility and I think every one of us in this House has had case after case of people who come to us and they are completely bewildered: "My neighbour is covered by this programme and I can't get it. I am disabled. He's disabled. What's the difference?" They can't understand it and they never will, and why should they, because neither of them will ever do a day's work again.

Mr. Chairman, the priorities are wrong. The building of one fewer cloverleaf in this province would do the job.

Mr. R. Haggerty (Welland South): That's right.

Mr. Young: The building of three or four fewer miles of highway would do the job, and even though an election year is coming and highways are desperately important in the programme leading up to an election, this is important too. Just a little shifting of allocations, a little shifting of priorities, is all that's required in this province.

We are wealthy; we have never had as much income coming in, due to inflation but the fact is it's there; we have the resources. Why do we ask these people to bear more of the burden than the rest of society? You know, even in the taxing field, it means that some of us might have to go without $10, $15 or $20 in assets next year in order that

they might have something more in order to bring them up to a little bit nearer a living standard. That adjustment could be made too, if the government is willing to do it.

But, Mr. Chairman, I say to the minister that these people will never understand why it is that the government cannot order its priorities better and why they have to do without while the fellow just across the hall, or just down the street, or perhaps next door to him, as was the case of one man who came to me, is different in income. They don't understand. It's time this government was generous enough, if I could use that term, to bring this thing into balance, even if it means dipping into our own revenues here and even if the Ottawa people are dead blind in this kind of situation.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Chairman. The case has been very well put by everyone who has spoken so far concerning the disabled, but there is another class that the ministry forgets about.

Very often when there is a permanently disabled person in the home who qualifies for GAINS and receives GAINS, there is the wife or the husband who, because of the disability of the spouse, cannot work at all. Physically he or she is able to work, but the disabled person needs 24-hour-a-day attention and that person, because he can't work, qualifies only for social assistance and does not qualify for GAINS. To me this is wrong, Mr. Minister. I brought to your attention the case of one individual in my riding—there are many others—who has had two heart attacks, two strokes, is on all kinds of medication, and the total income of husband and wife is $351. You pay for the drugs on the formulary, but many of the drugs that this man has been taking for years and years—that the doctor insists on him taking—are not on the formulary, so he has to take from the combined income of $351 to pay for those drugs, and in some instances it amounts to as much as $40 a month, Mr. Minister.

You are completely unfair to those who happen to have a permanently disabled individual in their home and who, because of their necessity to stay with them around the clock, cannot become gainfully employed and have to accept only social welfare. It is wrong. Both of those individuals should be on the GAINS programme.

And, by the way, why isn't the GAINS programme completely integrated into your ministry, so that it could qualify for grants from the federal government? Is there any reason, Mr. Minister, that GAINS is not? I would appreciate you giving me that reason when you do reply. It would make good sense to me to have it in with your programme, so that it could at least qualify for that additional assistance from the federal government. Thank you, Mr. Chairman.

Mr. Chairman: The hon. minister.

Hon. Mr. Brunelle: Mr. Chairman, I wish to thank the hon. member for Yorkview and the hon. member for Windsor-Walkerville.

With reference to the hon. member for Yorkview and our income maintenance programmes, the hon. member will agree we have made substantial improvements in the last year or two—and we will continue to do so. We have a committee and we will be making improvements. I can appreciate the concern of some of his constituents. One resident receives the GAINS programme and another one doesn't, and they don't understand it. And sometimes, as I've said, it varies. So, we hope to be able to improve upon it.

With reference to the hon. member for Windsor-Walkerville and the drug programme, there will be improvements on Jan. 1. This is administered under my colleague, the Minister of Health (Mr. Miller). And there are certain drugs—

Mr. B. Newman: What does one do in the meantime?

Hon. Mr. Brunelle: Pardon?

Mr. B. Newman: What does a person do in the meantime when they are confronted with those heavy medical expenses or heavy drug expenses that don't happen to be on the formulary?

Hon. Mr. Brunelle: I'm told that the Ministry of Health have really given this a very, very careful review. There are drugs that may not be the same drug that the constituent has been taking, but that are just as good, and they are the drugs that have been approved by the committee. And there will be changes in the formulary as of Jan. 1.

Mr. B. Newman: But in the meantime, Mr. Minister, he has had to lower his standard of living to purchase the drugs that his doctor insists on him using. And the doctor says, "No substitutes."

Hon. Mr. Brunelle: Is this the person that you wrote to me about? At one time you sent me some drugs that were not being pur-

chased under the drug plan. Is that the same case?

Mr. B. Newman: I can't tell you offhand, Mr. Minister.

Hon. Mr. Brunelle: If the hon. member will send me the names of those drugs and the person's name and address, we will certainly look into it, and then take it up with the Minister of Health. But, again, it's really the Ministry of Health which administers the drug programme.

Mr. B. Newman: I will give you the letter from your ministry, I think dated Dec. 5, in which you've turned him down. It said the maximum was $35.

Hon. Mr. Brunelle: We didn't turn him down. Again, Mr. Chairman, the drug programme is administered by the Ministry of Health.

Mr. B. Newman: Yes, I know that. But it's your officials that make the home visitation in the community to decide what type of assistance the individual should get.

Hon. Mr. Brunelle: That's right. But when it comes to drugs—

Mr. B. Newman: And regardless of whether it is covered or not covered by the medical or drug portion of the GAINS programme, the disabled individual has to buy this drug. He has been buying this drug for years. You come along and cut an alcoholic off from liquor immediately and what happens? He climbs the walls. But if you progressively reduced his consumption, you could rehabilitate him—and likewise on this.

Had you phased out the drug programme over three months or so, and said, "Well, by Jan. 1 we will no longer pay for these certain drugs for which there are satisfactory substitutes," then that individual could have accustomed himself for the change in the type of drug. But you didn't do that, and so the individual insists on getting the other. You will not pay for it; he's going to pay for it himself, and he lowers his standard of living.

Hon. Mr. Brunelle: Mr. Chairman, I know I'm just repeating what I said, but there are over 1,300 drugs listed in the drug programme formulary, and others will be added as of Jan. 1; and we do not administer the drug programme. Sure, our field workers call on the recipients. But, again, it's strictly administered by the Ministry of Health.

Now, with reference to the question of GAINS, as I indicated earlier, those who are 65 years of age and over are reviewed on an income test. With those who are under 65 and who are disabled, it's on the needs test. The guidelines for needs test were set by the federal government. The hon. members and I listened with great interest to the comments today. It's certainly an area in which we will continue to make representation and, I hope, one which we will be able to improve and add more who are permanetly unemployable.

Mr. B. Newman: That means, Mr. Minister, you don't take into consideration the actual expenditure that that individual went through in providing himself with these drugs that are not on your formulary. That should be included, because when the man spends, let's say in this case, some $40 for the month out of a combined income of $351, he really has only $311 income. That's all, because the balance went for medication, and that's wrong.

Hon. Mr. Brunelle: Well, Mr. Chairman, I think the hon. member wrote to me on Dec. 5?

Mr. B. Newman: No, I received a reply from your ministry on Dec. 5, stating that the individual is getting the maximum amount.

Votes 2601 and 2602 agreed to.

On vote 2603:

Mr. Chairman: On 2603, the hon. member for St. George.

Mrs. Campbell: I am interested in the transfer programme for the retarded. I haven't been able to come to grips with exactly what is happening in this particular area, because Health had made the statement that they wanted to get the retarded into the community. We have had discussions about the education of the retarded in the Education Act; now we have this programme which seems to be leading towards institutionalizing the retarded. We had long discussions in the original estimates about the thrust of getting them into the community, but I haven't been able to get information, either from this ministry or from Health, as to what happened with those who are transferred, for example, out of Orillia to Woodstock or to Kingston or to some of those other areas.

Since this vote does deal specifically with that programme, I would like at this point to have further assurance that we are in fact

bringing services to these unfortunate people in many cases. I think sometimes they are more fortunate than some of the rest of us, but I really would like to understand exactly where we are going on this programme because I think it is of the deepest concern to a great many parents. I have again many of them in my riding who have been asking me questions and I have written for clarification, specifically on the Orillia case, and have had no reply.

Hon. Mr. Brunelle: Mr. Chairman, I think this year of 1974 is a year that I can say we can be proud of in what we are doing for the mentally handicapped. I will be making a statement soon, but I would like to give the highlights on recent improvements whereby we provide additional funding and services to those who are in institutions to be rehabilitated in their own communities. We think that 50 per cent, maybe more, could be rehabilitated over a period of time.

One of the Acts is the Homes for Retarded Persons Act. We are increasing our funding up to 80 per cent, for a maximum of $15,000 per bed. Up until now our funding was much lower, and therefore the local associations for the mentally retarded sometimes had difficulty in raising the difference through donations and other means of acquiring revenue, so this increased funding will provide for group homes and various other types of residential services.

Also, for children under the Day Nurseries Act we have 11 developmental centres. Up until now the funding—and we're speaking about the subsidies or the operating grants—was 80 per cent by this government and 20 per cent that had to be raised by the parents. In some areas they had great difficulty in raising the 20 per cent. Now we will be funding 100 per cent of those children who are of school age, and those who are under school age will be paying what the parent of a normal child would be paying. We've had discussions with the local associations for the mentally retarded, and this is quite agreeable.

I would like to repeat that: There will be a 100 per cent funding for children of school age, and for those children who are under school age I think the formula is something like 100 per cent of the first 35 per cent and 80 per cent of the balance. In essence, it costs about 35 per cent more to look after a handicapped child than a normal child. We say that for those who are under school age, say up to five years of age, the parents will pay no more for their child to go to a developmental centre than they would pay if he was a normal child.

The third area where we are increasing our funding is where these persons are being rehabilitated in their communities. We need more workshops, and we need to expand our existing workshops. We will be increasing the funding. The funding up until now was quite limited. I believe it was 25 per cent or $3.75 per square foot. We are increasing that to 80 per cent, so it's a substantial increase. We're also increasing our operating grants to sheltered workshops.

Mr. Chairman, these are all very forward steps that will greatly help to provide support services and residential services necessary for the rehabilitation of the mentally handicapped.

Mrs. Campbell: Mr. Chairman, I appreciate the minister's explanation. Could I know now what is the definition of school age? What happens when they get beyond school age?

You see, the problem is that there are many people who have had children in Orillia, for example, who are confused, who would like to have them back in the community but could not possibly look after them in the home. They are obviously now beyond school age by any definition, I presume.

In view of the fact that the Education Act is providing for a lower compulsory age, what age are we looking at for this kind of assistance? I would hope it would be the normal school age and not, for instance, a reduction to the age of 14. Will you be providing some assistance for those who will be going to school and who are educable to some degree or other?

Is it possible that in this programme, if this is what you do, that you would fund on a purchase-of-service basis, or some such basis, the Roman Catholic children who perhaps ought to be able in their own system, as it exists today, have their education through your ministry, since they can't now do it through the Education ministry?

Hon. Mr. Brunelle: Mr. Chairman, the hon. member mentioned several things. First, I think she asked me about the question of school age. Well, normal school age, Mr. Chairman—

Mrs. Campbell: Sixteen?

Hon. Mr. Brunelle: It would be their normal school age. They begin school at five years of age, so those who are between—

Mrs. Campbell: They take them at four in areas of Metropolitan Toronto.

Hon. Mr. Brunelle: For those who are school age, as I said, we will be paying 100 per cent.

The hon. member also must know that those who are 18 years of age and over are eligible under the GAINS programme.

With reference to the question of religion, I'm not aware this has been a problem. It hasn't been brought to my attention yet. We only have 11 developmental centres in the province, and I'm not sure whether it would be advisable to have them operated according to religious lines.

Mr. Chairman: The hon. member for Cochrane South.

Mr. Ferrier: Mr. Chairman, on June 4 the Provincial Secretary for Social Development (Mrs. Birch) made the commitment that this government was going to spend $15 million towards more adequate daycare facilities in this province and that this money would be made available as of Sept. 1, 1974. As I understand it, $10 million was to be used to help non-profit organizations build or expand their facilities, and the rest was to subsidize day care for the handicapped or lower-income children.

This was heralded as a great move forward. It was going to meet the daycare needs of the children. My leader and the member for Sudbury East (Mr. Martel) went into this in quite some detail and pointed out that it might look after about 30,000 of the children in the daycare age, whereas the need was for 300,000 or more.

Here we are being ask to vote something like $3.8 million for care facilities for children, which suggests there is $11 million or so of the commitment made by the provincial secretary that is not going to be spent in the 1974-1975 fiscal year, and that this programme, which was so much heralded, is not moving ahead with the dispatch that we were led to believe it would.

Why are you not spending that extra $11.5 million? Why haven't you made the commitment to it, and why isn't this money being used actively to move even as far as you said you were going to move? I'd like the minister to comment on that.

Hon. Mr. Brunelle: There is very little comment I can make. I would say that the response to our daycare programme has been tremendous. For instance, up until Dec. 13, we had approved in principle 88 centres at an estimated cost of $9,333,170.

It's quite true, as the hon. member mentioned, that in our estimates for the fiscal year that ends March 31, 1975, the amount is $3,584,400; but in the next fiscal year, beginning April 1, 1975, it is $11,942,700, making a total of $15,527,100. Therefore, the money has been allocated in this year and next year.

With regard to the statement's reference to $15 million, you must realize that we operate on the fiscal year. We have so far approved in principle close to $10 million, and the requests are coming in continually. The response has been very good.

With reference to a universal programme, Mr. Chairman, we are all in support of group day care. But I'd like to remind the hon. member that he is probably familiar with other types of day care, such as family day care in private homes, which is very popular also. This is one of the areas being examined by the advisory council, which is looking into alternative means to provide a variety. We believe there could be alternatives. For instance, you could have a regular daycare centre with satellite homes in the area, and some of the staff could work closely with these homes.

What I am trying to say it that there are many alternatives to supplying daycare services, but the programme itself is proceeding exceedingly well.

Mr. Chairman: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Chairman, when the government announced its intention to move retarded children from institutional care into a community environment, it looked on paper or by word a proper attitude and method to get these people back into their home environment. But I suggest that in the case of those children, who by the very nature of their disability will always be institutionalized, the institution, in which you bring them back into the community could be of such a design that it lends itself to the rehabilitation and the living standards of these people.

A case in point has to do with a certain transfer of retarded children from the Rideau regional unit. The Rideau regional unit was designed to accommodate retarded children. We have certain facilities down there such as open space for these people to work off their energies. We have gymnasia. We have swimming pools. We have all manner of recreation for these institutionalized kids to stay in.

We had the case where the government arbitrarily, a few months ago, you will recall decided to move about 60 of these kids from Rideau regional up into the Sudbury Nursing Home, a home for extended care, a home which was designed for accommodating senior citizens, a home which does not lend itself to accommodating retarded children.

The roof fell in on the minister when that particular proposal was made. He backed off from his position that he would arbitrarily move all those kids from the Sudbury district back into Sudbury. He said he would agree not to move those whose parents were aware and astute enough and realized what environment their children were coming into at the Sudbury Nursing Home.

Lo and behold, people being people, they do not pursue their cause. We have now a situation in Sudbury, and I have visited the institution a couple of times, of an extended care home, designed for senior citizens, people who do not require recreational facilities or facilities for working off energy, where about 40 or 50 retarded children are now confined in these cubicles. There is no open space for these kids to participate in any of their activities. There is no theatre. There are no gymnasia. There is no swimming pool. It's a home for senior citizens into which you have dumped about 40 or 50 retarded children.

Floors four and five are for retarded children. Floor six is the only geriatric floor in the whole institution. Explain to me the rationale of bringing children in there.

Granted, it's a good project. These kids are near their parents and visitations are easier on their parents. But what kind of an environment do these kids have to live in when the only space they have is this white cell of a room, plus the hallway facing the room to run up and down in?

I say to you this kind of an attitude is wrong. If these kids are going to come back into the home community, into an institution, then the institution into which they are introduced has to be such that it accommodates their needs. I think what you've done in Sudbury in this instance is incorrect. I think it's wrong. I think it's bad.

I suspect there is a little bit of political patronage, because we know who owns the Sudbury Nursing Home, a former backbencher of the government side, Mr. Gaston Demers. He went out on a limb and overbuilt and we ran out of senior citizens to fill the beds. In order to try to save his bacon, the government decided it would fill that home built for senior citizens with retarded children from the Rideau regional hospital. You can't sacrifice these kids on the altar of finance.

Mr. Breithaupt: Shame!

Mr. Germa: I would like the minister to answer that question.

Hon. Mr. Brunelle: Mr. Chairman, I think we all agree with the hon. member when he says the mentally retarded should be provided with as good accommodation as possible to look after their needs. Specifically with the area in question, my understanding is—and I stand to be corrected—that those who were transferred from Smiths Falls or whatever institution they were in, were transferred with the co-operation and agreement of the parents in question.

Mr. Deans: Oh, don't give us that.

Hon. Mr. Brunelle: The parents felt—

Mr. Deans: I knew that was what you would say.

Hon. Mr. Brunelle: This was not an arbitrary decision; it was done with consent. I haven't visited that facility in question but I will make a point to visit it. If, as the hon. member says, the facilities are wholly inadequate for the needs of those persons, we certainly will see they are provided with what they require.

Mr. Breithaupt: Perhaps the two of you can go together.

Mr. Germa: Mr. Chairman, maybe for the edification of the House I can describe what the situation is. The building is on a rock lot. The lot is on about a 45-degree angle, which is normal for the city of Sudbury. The building is perched; it's hanging on this rock.

In front of this institution there is a four-lane, high-speed highway: Highway 69. It runs south from Sudbury as the route to Toronto. This is the main artery out of the city of Sudbury. You can't possibly protect these kids; so you can't put them out in front of a building like that.

On the other side is York St., another major artery. It leads to one of our major hospitals and various other institutions. In the back of the building there is a parking lot for about 100 cars. You might be able to enclose the kids or these people in this parking lot in the back. But as far as open space, as far as trees, as far as grass is concerned, there is nothing except these little strips that you have when you are in the congested area.

The whole environment is completely and absolutely wrong. The environment is not even good for a senior citizen, who does not require too much open space. There are the fumes from the highway; the noise from the highway. Huge trucks climb this hill right in front of it. It doesn't even lend itself to senior citizens or a nursing home environment, let alone accommodation for retarded kids.

I ask you, Mr. Minister, to go up and take a look at the Sudbury Nursing Home. Try to imagine being locked into those little rooms, with no place to go. You cannot let them out of the building, because they cannot be controlled. They'll get out on that highway. If you want to let them out, then you are going to have to build a fortress in order to protect them from themselves. That just wouldn't be acceptable, because the open space available inside this theoretical fortress just would not be adequate to accommodate their needs. There is not even room for a swing or a tree out there. How do you expect these kids to live?

Now, I started out by saying there was an arbitrary decision made by the government to move certain people in. I got the flak. Pressure was put on me. I brought it to the government's attention, and you did back off a little way. But you did, by some method, come to your decision that you were going to move those kids there.

Now, I don't know how you got around the objections of the parents. But, as I said before, people are prone to back away from a fight. Ordinary, everyday citizens would rather give up and walk away from a fight. I think this is precisely what happened here.

I know some of the people wouldn't give up. They wouldn't accede to having their children transferred—even though it meant long journeys to the Rideau region and Smiths Falls for their visitations. But some of them gave in; I know that.

But the government has horrendous pressure and power, and these people don't know how vindictive you might be; that you might cut off any support for them.

Mr. Ferrier: They were always afraid.

Mr. Germa: They are afraid of big government. Rather than stand there and defy big government, they will give in; and they'll sacrifice their kids to that. I think you should go back and ask every parent again, or allow me to ask them without the pressure of government, whether they wish their kids to remain in that institution. I think if it were other than a government person who asked the question, the answers might be a heck of a lot different.

Hon. Mr. Brunelle: Mr. Chairman, as I indicated earlier, I will make it a point to visit the facility in question. I would also like to add, Mr. Chairman, that this government can be proud of its record of what we are doing for the handicapped. If the facilities are not adequate, we will certainly see that they are provided with the proper facilities.

Mr. Deans: You are trying to precipitate a major debate.

Mr. Chairman: Vote 2603, the hon. member for Cochrane South.

Mr. Ferrier: Mr. Chairman, could I ask the minister if the March of Dimes sheltered workshops, such as the one in Timmins, come under this vote?

Hon. Mr. Brunelle: I believe that the March of Dimes is an independent organization, and I don't believe they come under this.

I believe that we have about 132 sheltered workshops and they are mainly operated by the local associations for the mentally retarded. I believe you have the Timmins and District Association for the Mentally Retarded. The March of Dimes is an independent organization, although we work closely with them.

Mr. Chairman: Shall vote 2603 carry?

Mr. Deans: No, I just want to ask one question. In regard to the matter raised by my colleague from Sudbury: Can the minister tell me the criteria for approval of homes for retarded children? Who approved that facility? I think that is as much to the point as you travelling into Sudbury to look at it. Obviously, as the minister you can't go around the province visiting every single home to check out every complaint.

That's why you have ministry officials. That's what their job is. That's what they're paid for—some of them handsomely. How, then, do they approve the conditions my colleague talks about? Do they fall within the guidelines established in terms of faciilties for retarded children?

Hon. Mr. Brunelle: Mr. Chairman, as I indicated earlier, I haven't visited the facility. However, it's a new building, and was approved by the Ministry of Health. If it was approved by the Ministry of Health, it must meet all of their standards. I haven't seen the building they came from, but I

would venture to say it was built maybe 20, 30 or 40 years ago and that this other building is far superior.

Mr. Deans: That's true. Structurally, that could well be so. It may be a much nicer building, built to modern specifications. That's not the question. The question is: What kinds of facilities are required in order that a building be approved for the purposes of providing care for retarded children?

Look, there are all kinds of nice buildings outside here. They are building apartments, they are building office towers, they are building warehouses. They are all modern. They are much better than other buildings. It doesn't mean they are any good for retarded children; okay?

So it's not a matter of whether or not it's a better-looking building or the facilities are a little better than the ones they had before. The question is whether or not there are sufficient facilities available in that building to provide for the needs of those kids. That's what my colleague is asking about, and that's what we are asking about.

It doesn't require you to go there. It doesn't do any harm, I suppose, except that it will become one of those grand tours. They will meet you at the door and usher you around and give you lunch and then you will leave and you will say they are very nice people there and the kids look very healthy and the building's clean and well painted and running water and, lo and behold.

The problem is: Do you have standards in the government that say there must be certain facilities available in order that any building can be used for purposes of housing retarded children? If you have, does that building meet those standards? If it does, then one has to question whether the standards are adequate, if my colleague's word on what is there is to be taken; and I take it as being gospel because I have never known him to even exaggerate, so I can only assume what he tells us is correct.

If it means that kids are going to be put into a small room with inadequate facilities for them to be able to take part in any recreational undertakingss or programmes, then obviously that building isn't suited. It may be suited for other things, but it certainly doesn't sound to me as if it is suited for that. If it meets your standards, your standards are wrong.

Mr. Germa: Mr. Chairman, I don't know whether the minister is being avasive by design or whether he doesn't fully understand what I said. I stated right off the bat that the building was designed as a nursing home to accommodate extended care patients. Certainly it's a brand new building, certainly the sanitary facilities are right, certainly the hallways are clean. It's well heated, well ventilated and well lighted. Certainly all those things are there, but the facilities required for a nursing-bed patient are quite different from the facilities required for a retarded child.

I am surprised to hear you say that the building these kids came out of was probably 20 or 30 years old. As far as I understand, all of them came from Rideau regional. I don't know how many hundreds of acres Rideau regional encompasses, but I do know it is a farm, open-space atmosphere. I know there are hundreds of acres for these people to gallop around in and spend their time at whatever they want to do. I think that is a good environment for people who have this affliction. But caging them in these small rooms, albeit certainly well heated, well lighted and well serviced as far as food service and sanitary facilities are concerned —no argument there at all—is the wrong kind of a structure, the wrong kind of an atmosphere for the type of person we are talking about, namely retarded children. They need a whole different environment.

To say that it is approved by the Ministry of Health carries no water with me whatsoever. It has to be approved by your officials, as far as what is required for the proper care and maintentance of a retarded child is concerned. That's the kind of person we're talking about; not a person who spends 18 or 20 hours a day in bed, which is what happens in nursing home environments.

Hon. Mr. Brunelle: Mr. Chairman, the hon. member is familiar with his area, and I think he knows there are not too many facilities in northern Ontario for children and the mentally retarded. There are very few facilities. Up until recently our funding did not lend itself to building more. But these estimates have been increased substantially, and there now is additional funding. Also, if the building in question is not suitable for children, as I have indicated, we certainly are prepared to look into it.

Mr. Deans: But how did they get there?

Hon. Mr. Brunelle: Also, I might mention, this was done with the approval of the parents; it was probably a temporary measure. Those children, and others who were moved

from wherever they came from, were moved with the approval of the parents. They would much rather have their children in their own community than to have them 200, 400 or 500 miles away.

Again, I'd like to repeat what I said: I will visit that facility, and if it is felt that it doesn't meet the needs of the children, we are prepared to provide the proper facility.

Interjection by an hon. member.

Mr. Deans: What's the matter? Are you missing your lunch?

Mr. Germa: The choice you gave these parents was completely unacceptable. They had the choice of leaving them in Rideau regional, 350 miles away, or bringing them to this cage in Sudbury, where they can visit them on a weekly basis. What kind of a choice is that? Some of them did opt for the cage choice, but most of them who contacted me—and there were dozens and dozens of them—said that regardless of the distance, they were going to leave their kids in Rideau regional. That was the consensus I got from all the parents concerned.

Mr. Deans: It also says something about the government's attitude towards the needs of northern Ontario.

Mr. Chairman: Shall vote 2603 carry?

Vote 2603 agreed to.

This completes the supplementary estimates of the Ministry of Community and Social Services.

Hon. Mr. Brunelle moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

It being 12:30 o'clock, p.m., the House took recess.

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Thursday, December 19, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 19, 1974

The House resumed at 2 o'clock, p.m.

Mr. M. Shulman (High Park): On a question of privilege, Mr. Speaker, two days ago the Minister of the Environment (Mr. W. Newman) accused me of improper action in revealing certain materials to this Legislature and to the public.

Today, just a few minutes ago, I received two research papers, one from the Journal of the American Medical Association, and the other from the food research laboratories of the health protection branch of the Department of National Health and Welfare in Ottawa. The second one contains indisputable proof that animals that drink water containing asbestos have that asbestos penetrate the bowel and accumulate in the brain and other organs.

The first paper, from the AMA, states it found that the rate of cancer of the rectum is higher in areas that have a high asbestos content in the water. Their conclusion is that at this time, in 1974, no one can conclude that there is no cancer hazard related to drinking water that contains a high asbestos count, sir, and I suggest it is not only improper, but extremely dangerous, for the Minister of the Environment to mislead the public.

Mr. J. A. Renwick (Riverdale): Resign. There is no answer to a question of privilege.

Mr. Speaker: Order, please. I don't see that as a question of privilege. It doesn't prevent the member from doing anything or carrying out his duties as he sees them. As to the facts, I cannot rule on that.

Mr. J. N. Allan (Haldimand-Norfolk): Mr. Speaker, I would appreciate the assembly welcoming 75 students from the Port Dover Composite High School in the riding of Haldimand-Norfolk.

Hon. W. Newman (Minister of the Environment): Mr. Speaker, this is on a point of order, I guess. I think the hon. member for High Park, who rose on a point of privilege, was not in the House last night when I referred to three reports—

Mr. I. Deans (Wentworth): It is not a point of order—it cannot be a point of order.

Hon. W. Newman: —that were on my desk which indicated there was not any problem. I talked about it last night.

Hon. A. Grossman (Provincial Secretary for Resources Development): He listened to the member; let the member listen to him.

Mr. J. E. Stokes (Thunder Bay): He should make a ministerial statement.

Mr. Speaker: Order, please.

Statements by the ministry.

OIL AND NATURAL GAS PRICES

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, I wish to comment briefly on a sequence of events having to do with oil and natural gas. Events have moved so fast that I fear all of the implications may not be fully appreciated.

Let me be specific. First: The federal government is not at present proceeding with its proposed Petroleum Administration Act, Bill C-32, which sought authority to set prices for oil and natural gas moving in international and interprovincial trade.

Second: The government of Alberta made certain concessions to producing companies in the matter of royalties and bundled into the statement an indication that Alberta would unilaterally increase oil prices, the implication being that the oil companies would gain greater returns and increase production, but not at the expense of Alberta revenues.

Third: The proposal that natural gas prices should be indexed to the price of oil seems to be gaining an increasing acceptance in Ottawa and the producing provinces. It carries the implication of very large increases in the price of natural gas, which would grow only more rapidly if oil prices are allowed to rise further from the current $6.50 level at the wellhead.

Fourth: There is a growing awareness that Canada will not produce enough oil or gas to meet our domestic requirements and that shortages will appear within this decade.

Indeed, in terms of natural gas, present shortages are restricting the normal growth of demand.

I would urge hon. members to reflect quietly on these facts, these trends and developments.

There appears to be some easing of the tension between the federal government and the government of Alberta. That's true, and it is desirable. But neither government apparently intends to reduce the amount of revenue that it is withdrawing from the petroleum industry. Instead, they are proposing that more money should be divided; that implies that the price must rise. So Alberta and Ottawa are moving to resolve their problems largely out of the pockets of consumers throughout Canada.

Mr. S. Lewis (Scarborough West): Yes, they have.

Hon. Mr. McKeough: The implication is that higher prices will call out additional supplies and so tend in the direction of ameliorating the very serious question of security and adequacy of supplies.

That is the carrot to make the consumer accept the higher prices. But we, sir, have already run after that carrot. That is exactly what the increase from $3.80 a barrel to $6.50 a barrel was supposed to do.

Interjection by an hon. member.

Hon. Mr. McKeough: We accepted that increase—we accepted increases in the price of natural gas—with modest protests because of the urgent need for securing additional supplies. But then the producing provinces moved in, the federal government moved in and those dollars—paid by the consumers—were consumed. There was nothing left to call out the additional and needed supplies.

I ask, sir, are we to play the same scene a second time?

Mr. Lewis: And we answer "No."

Hon. Mr. McKeough: Ontario is opposed to the jockeying up of natural gas and oil prices for the enrichment of government—

Mr. Lewis: The minister is sounding more like a socialist every day.

Hon. Mr. McKeough: —at the expense of security of energy supply for our citizens.

Ontario deeply regrets the fact that the government of Canada—admittedly abetted by the persistent opposition of other parties in the House of Commons—has faltered in its proposal to assume the power of controlling oil and natural gas prices moving in interprovincial and international trade.

This is crucially important to the people and the Province of Ontario and to all consumers of energy. I would ask the indulgence of the members, sir, while I discuss, at modest length, some circumstances under the following general headings:

1. Economic impact of higher energy prices.

2. The crude oil price agreement.

3. Natural gas prices and supply.

The magnitude of the impact of price increase is staggering. For example, a dollar per barrel increase in the wellhead price of crude oil costs the consumers of Ontario approximately $180 million a year.

Mr. Lewis: The minister has discovered that, has he?

Hon. Mr. McKeough: This is paid by the people of this province. Relating wellhead price changes to changes at the gas station is an inexact science, but I note that the industry has stated that a $2 increase per barrel for crude at the wellhead implies an additional six cents a gallon for gasoline in Metro Toronto. That is close enough to our own calculations.

The precise figures are less relevant than the grim fact that higher prices would have a pervading and detrimental effect on both the national and Ontario economies. It is inescapable that higher prices will worsen Canada's most pressing problem— inflation. And we are already experiencing the impact of the latest price increases.

Mr. Stokes: This is the second time in two days the minister has agreed with us.

Hon. Mr. McKeough: Since last January, crude oil prices have increased $2.70 a barrel at the wellhead and the field price in Alberta of natural gas coming into Ontario has increased by 22 cents per mcf. We will be even more conscious of the implications as we live through the current heating season.

Let me talk for a moment about the crude oil price agreement. It was, and it is, our understanding that the $6.50 per barrel price of crude oil in Canada would be maintained inviolate until the existing agreement among first ministers expires, and that prior to any future price increase there would be a further meeting of first ministers.

In this respect two points are worth making.

First: There has not yet been time to fully assess the impact of the price agreements made earlier this year, pending the conclusion of the 1974-1975 heating season; and yet there appears to be a mood to surge forward in the direction of higher prices.

Second: There is no evidence to support a belief that the $2.70 a barrel increase in crude oil wellhead prices has improved the prospect of future supplies. Indeed, the recently published report of the National Energy Board confirms that we will not have on stream those domestic supplies of crude oil needed to satisfy our domestic demand, and this shortfall will occur within 10 years.

I wish to underline that it was the Ontario understanding that the agreed increase in the wellhead price of crude oil to $6.50 a barrel would tend to compensate for higher costs of finding and/or developing supplies of oil and would contribute to ensuring adequate oil supplies for Canadians.

I have noted that this expectation was aborted by the actions of the government of Canada and the producing provinces. This situation should be corrected. Certainly we welcome the initiative of the government of Alberta in taking steps to encourage increased exploration and production within the borders of that province. We invite a similar initiative from Ottawa.

But two things cry out to be acknowledged.

First: Until there has been time to fully assess the impact of the increases in the price of oil agreed to earlier this year, there should be no further increase.

Second: Until a satisfactory compromise has been worked out between Ottawa and the producing provinces, no increase in price can by any stretch of the imagination be warranted.

Mr. Lewis: Good Lord. Doesn't he recognize that the last price increase that this government submitted to couldn't be warranted either?

Mr. Speaker: Order please.

Hon. Mr. McKeough: Ontario recognized that the costs of finding and producing some supplemental oil supplies may be such as to inhibit development of some supplies at current price levels.

Hon. Mr. Grossman: Why doesn't the leader of the NDP just say "Good"?

Mr. Lewis: We did say "Good." How often do we have this opportunity?

Hon. Mr. McKeough: Specifically, it is becoming increasingly apparent that inflation has made necessary higher price levels if new operations designed to extract oil from the oil sands are to be economic. But this does not mean that such prices should prevail for oil from existing sources or sources that are less costly to develop.

I now wish to deal with the important and urgent question of natural gas prices. Ontario consumers are already faced with a major increase in the cost of heating their homes as a result of substantially higher field prices for natural gas reached this year. In Ontario terms, a 10-cent increase per mcf for natural gas siphons more than $65 million a year out of the province.

Again, higher prices should contribute to secure supplies. That's regarded as a central function of price in the marketplace. But the current National Energy Board hearings are revealing a growing consensus that Canada's established natural gas supplies will be unable to meet demands during the last half of this decade.

There is an irony in all this: there is evidence that producer expectation of higher future prices have contributed to a deterioration in current supplies. Expecting higher prices, producers may be reluctant to commit available supplies to market or to make vigorous efforts to sustain existing levels. And I use the word "may" because it is only a very strong suspicion.

Mr. Stokes: Tommy Douglas said that five years ago.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Who is Tommy Douglas? Is he the fiddle player from Moncton?

Hon. Mr. McKeough: Ontario has not inflexibly opposed all price changes. We have acknowledged the need for some increases in natural gas prices. The average level of 44 cents, which is included in the rates Trans-Canada Pipe Lines Ltd. now charges Ontario distribution companies, is high; it is twice last year's level. But in order to resolve the problem of price, we have considered that in the circumstanuces of today the current level is not unreasonable. Significant increases above that level are unreasonable.

Mr. Lewis: Right.

Hon. Mr. McKeough: However, much higher prices are being talked about. In a report dated Aug. 19, 1974, the Energy Resources Conservation Board of Alberta stated that the field value of natural gas, as of June 30, 1974, was $1.09 to $1.19 per mcf. I underline that this was its perception of value and was not a selling price.

However, under the Arbitration Act of Alberta, as recently amended, arbitrators appointed to redetermine field prices pursuant to a gas purchase contract, must take the field value—determined in a manner similar to that used by the Alberta board—into account when fixing the field price of natural gas.

So unless Bill C-32 is enacted quickly, the process of the redetermination of field prices will begin and move swiftly to conclusion by the spring. The field values mentioned could well become field prices effective on Nov. 1, 1975, as a result of the Arbitration Act of Alberta.

Certainly field price levels equivalent to the field values suggested by the Alberta board could damage the economic prospects —the economic fabric—of this nation.

At the National Energy Board hearing in Toronto on Dec. 9, 1974, I reiterated that failing agreement with respect to natural gas prices among the producing and consuming provinces, there was no alternative to the imposition of a field price for natural gas by the federal government. I repeat that again today.

We have been negotiating for some two years. I think the effort has been sincere and serious by all participants. We have not arrived at an agreement. I attribute no blame. On economic questions, interests can be in conflict and people of good will and sincerity can disagree quite honestly. But persistent disagreement calls for the involvement, in this specific case, of the government of Canada. We take this position, recognizing the historic and constitutional responsibilities of the government of Canada and the provinces with respect to natural resources.

We anticipated this responsible and necessary federal involvement when the government of Canada sought authority to impose reasonable field prices for natural gas moving in interprovincial and international trade in its proposed Petroleum Administration Act, Bill C-32. But, under pressure from the opposition, the government seems to have abandoned its convictions and the rug was jerked out from under the feet of the consuming provinces.

Permit me, sir, to be very specific in my few concluding remarks.

The government of Ontario regrets that the federal government has postponed proceedings with the legislation currently before Parliament, which would give the federal government authority to act quickly on the matter of petroleum and natural gas prices, an item of the very first order of importance when measured in terms of the interests of the nation.

The government of Ontario strongly urges the federal government to proceed with this legislation as early as possible.

Members of all parties in the House of Commons are urged to ensure speedy passage of this legislation in a form that will permit, in the absence of intergovernmental agreement, the mandatory imposition by the government of Canada of reasonable prices for natural gas and petroleum for the benefit of all Canadians, producers and consumers, through the serving of the national interest.

ROYAL COMMISSION ON BUILDING INDUSTRY

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, I wish to table the report of the royal commission on certain sectors of the building industry which was conducted by His Honour Judge Harry Waisberg.

This royal commission was constituted pursuant to a proclamation of the Lieutenant Governor, dated March 28, 1973. The events leading up to the royal commisison are, of course, well known, Mr. Speaker. The full and thorough consideration given to those events is manifest in the report itself, and we are indeed indebted to the commissioner and his staff for their prodigious effort in bringing to light the various facets of the subject matter of their inquiry.

I wish to assure the members of the House this afternoon that the law officers of the Crown have worked closely with the investigating staff of the commission, as a result of which certain charges have already been laid. There are some matters in the report which are currently under police investigation, and I expect further charges to be laid in the near future.

The commissioner's recommendations with reference to labour-management relations in the sectors of the building industry which formed the subject matter of this inquiry will be considered, of course, by the Minister of Labour (Mr. MacBeth).

EXPROPRIATION REPORT

Hon. Mr. Welch: While I am on my feet, Mr. Speaker, it is with some satisfaction that I table the report on the Expropriations Act prepared by Mr. R. B. Robinson, QC.

In June of this year, when I appointed Mr. Robinson to undertake this inquiry, my principal concern was the achievement and maintenance of a proper balance between the general public need for expropriation and the protection of the rights and reasonable expectations of persons affected by the procedures involved.

Although I have not yet had an opportunity to review his recommendations in depth, it would appear from the report that Mr. Robinson's mandate has in large measure been achieved.

The report examines the performance in practice and the practical effectiveness of the Expropriations Act during its six years of operation and makes specific recommendations with respect to certain deficiencies which have been found to exist. Recommendations are made with reference to inquiry hearings, large-scale expropriations, costs, and the operation of the Land Compensation Board. The report also proposes amendments designed to resolve ambiguities and supplement definitions, and generally offers suggestions, Mr. Speaker, to make the statute a more refined and useful instrument for both affected individuals and expropriation authorities.

It is my hope in tabling this report this afternoon that its recommendations will be carefully studied and comments directed to me so that the full benefit of the beneficial changes suggested can be appropriately achieved within the near future.

SOLID WASTE DISPOSAL

Hon. W. Newman: Mr. Speaker, I would like today to table the report of the solid waste task force.

Mr. Deans: This is good.

Mr. T. P. Reid (Rainy River): Tabling himself, is he?

Mr. Deans: How appropriate.

Interjections by hon. members.

Hon. W. Newman: In order not to inconvenience the members with this material, it will be in their mail boxes; it is being put in there now.

Mr. R. F. Ruston (Essex-Kent): Christmas greetings.

Hon. W. Newman: A few weeks ago I announced a comprehensive programme for the reclamation and recycling of solid waste which included as an immediate step the construction of six primary recycling plants in major urban areas of the province. To complement that initiative, I am tabling today the consolidated report of the solid waste task force.

To date the government has accepted and implemented all of the recommendations of the milk packaging task force and is accepting 14 of the 16 recommendations of the beverage packaging working group. The government will not implement, for the time being at least, the recommendation that retailers stock carbonated beverages packaged in refillable containers in the same sizes and brand type as they offer in non-refillable containers or the recommendation that the deposit price for beer containers be increased.

Mr. R. Haggerty (Welland South): What about the Liquor Control Board?

Hon. W. Newman: The present deposit price of beer results in over 96 per cent of the beer bottles being returned and a deposit increase is not expected to affect this return rate appreciably.

Specifically, Mr. Speaker, detachable flip-top openers on metal carbonated beverage containers will be phased out over the next 12 months. Development of non-detachable openers or other alternatives to the detachable flip-top openers has reached the point where viable alternatives will be available in the near future.

Other recommendations which have been accepted and which will be implemented are:

1. Soft-drink companies and vendors will be encouraged to promote the sale of soft drinks in refillable containers.

2. The price of the contents and the refillable container deposit are to be shown separately at the point of sale.

3. A mandatory minimum refundable deposit will be established for all refillable containers.

4. All refillable containers produced after a fixed date shall show the words "money-back bottle."

5. Soft-drink companies and vendors shall be urged to sell soft drinks in convenient, sturdy carriers.

6. Vendors shall be required to refund deposits on refillable containers.

7. Vendors shall be encouraged to post notices in conspicuous places in their premises outlining the obligations of the vendor to return deposits.

8. The soft-drink industry shall be urged to reduce the number of container sizes and to develop standard refillable containers by the time the metric system is introduced in Canada.

In a number of jurisdictions, both in Canada and in the United States, legislation has been introduced over the past few years aimed at reducing the amount of litter produced by beverage containers. We have reviewed all of the significant legislation of this kind now in effect in North America and have visited most of the jurisdictions to assess the impact of that legislation. In most cases the contribution of beverage containers to the volume of litter has been reduced as a result of the legislation.

Many of the techniques developed by other jurisdictions are quite ingenious and effective as far as they go. No jurisdiction to date, however, has combined, as Ontario is doing, the recycling approach with consumer choice of refillable and non-refillable containers and with positive action to induce greater public awareness and disapproval of those who litter.

I have already met with the industry on the need for a specific action programme. I shall be meeting with the industry again—

Mr. Haggerty: What about the Liquor Control Board?

Hon. W. Newman: —to develop the specifics of this programme, and I have every expectation that the industry will co-operate voluntarily and that it will not be necessary to legislate. I shall also be encouraging soft-drink manufacturers to give some consideration to recompensing retailers for the cost of handling returnable containers.

The solid waste task force also recommended that the government establish a waste management advisory board, and I shall be releasing the names of the members and the board's terms of reference within a few days.

I am happy to say that today I have with me in the House Mr. Bob Woolvett, who is chairman of the solid waste task force and who worked with the various groups. He is in the Speaker's gallery. With your permission, Mr. Speaker, if he would stand up, I would like to say thank you to him and his committee for the great job they did.

COMMUNITY SERVICES FOR MENTALLY RETARDED

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker—

Mr. Stokes: Après vous, Alphonse.

Hon. Mr. Brunelle: —this is a statement in reference to the expansion of community services to the mentally retarded. I mentioned this briefly this morning during our supplementary estimates, and this is to elaborate on what I said.

Last March, I introduced to the House the Developmental Services Act to expand our community services for Ontario's mentally retarded persons. That Act provided a basis for review and re-evaluation of the province's overall mental retardation programme. In response, the cabinet yesterday increased its funding of mental retardation, as provided by the following existing Acts:

1. The Vocational Rehabilitation Services Act, covering the operation of 130 sheltered workshops for mentally and physically handicapped.

2. The Day Nurseries Act, currently providing aid to parents of 1,400 handicapped children in special developmental centres and day nurseries.

3. The Homes for Retarded Persons Act, providing residences within communities for mentally retarded persons.

Briefly, Mr. Speaker, here are the main details of the funding increases, all of them retroactive to Oct. 1, 1974:

1. The sheltered workshops for the mentally and physically handicapped can now receive capital grants and operating subsidies up to 80 per cent of approved costs—instead of the former 20 per cent. An additional $4.6 million will be allocated on the basis of productivity and initiative demonstrated by individual workshops.

2. Present subsidies to developmental centres, daycare centres and special schools for handicapped children have required parents to pay excessive fees to make up cost differences. Too, parents wanting day nursery care for mentally or physically handicapped preschoolers have had to pay about 35 per cent higher fees than those charged for other children. This seriously undermined our objective of assisting these children at an early age. Therefore, the province will assume 100 per cent of the subsidies for care and train-

ing of school-aged handicapped children. It will also provide a subsidy for pre-school-aged handicapped children so that their parents will pay no more than other parents.

3. The final area for increased funding is the acquisition or construction of new community residences for the mentally retarded. These will provide permanent and temporary lodging for handicapped persons while integrating them into normal communities. In this area, capital grants are increased to 80 per cent, up to a maximum of $15,000 per bed, for both new construction—including land—and for acquisition and renovation, as approved by the ministry.

Mr. Speaker, I have described three breakthroughs in funding. They are significant, but only as a beginning. The problems of the handicapped are considerable, affecting thousands of individuals and their families throughout Ontario. In order to assist the development of the required community services, my ministry has hired, since April 1, 19 co-ordinators to work closely with parent associations across this province. Speaking of associations, I especially wish to thank the Ontario Associations for the Mentally Retarded for their ongoing and outstanding efforts and initiatives.

With the co-operation of such organizations, we come close to our goal of community-based programmes to lessen the burden of being a handicapped person in our society of alternatives and opportunities.

CENTRAL ONTARIO LAKESHORE URBAN COMPLEX

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, tomorrow the Deputy Treasurer will be releasing the report of the central Ontario lakeshore urban complex task force. This proposal for the central Ontario region has been prepared for the advisory committee on urban and regional planning by a joint task force which included municipal and provincial planners.

This report is not government policy but is the basis of recommendations to a committee of provincial officials; the Advisory Committee on Urban and Regional Planning being a committee of 12 deputy ministers, chaired by the Deputy Treasurer.

The task force report is being released so as to permit public discussion and detailed examination before any firm policy recommendations are made by the advisory committee to the government. Only after such public discussion will the advisory committee be able to assess the task force's recommendations realistically.

This approach is a reaffirmation of the pledge to open, participatory planning which this government has made to the people of Ontario. We are convinced that we will emerge with better plans because of such broad discussion.

Included in the report are some options, concerns and difficulties as identified by the municipal and provincial planners. These comments by the task force members to the Advisory Committee on Urban and Regional Planning are included to enable all those affected to consider the difficult issues involved in broadly based planning.

Mr. J. R. Breithaupt (Kitchener): We wondered why all the ministers were here today.

Mr. Deans: They are planning to go home soon.

INDUSTRY LOANS

Hon. C. Bennett (Ministry of Industry and Tourism): I have a reply to a question which I believe, because of its length, should be in a statement. I was asked a question regarding the development corporations by the hon. member for Thunder Bay and—

Mr. Lewis: The member is not here.

Hon. Mr. Bennett: —and by the hon. member for Fort William (Mr. Jessiman) and I believe it would be well to break down the situation of the development corporations so they are more properly understood.

Mr. Lewis: Yes, do be rational.

Hon. Mr. Bennett: I thank the members for the opportunity to report to the House and to the citizens of Ontario the tremendous progress made by the Ontario Development Corp., the Northern Ontario Development Corp. and the Eastern Ontario Development Corp. for the period from April 1, 1974, to Nov. 30, 1974. The three development corporations have lent a total of $51 million, representing 344 loans.

As I mentioned to the member for Thunder Bay in my reply the other day, you can distort statistics if you do not look at the entire picture. Today, I will present the entire picture, and I know all members of the House will be pleased with the information.

There are many categories of loans; I will list them with the appropriate development

corporation and give the dollar volume of the loans, together with the percentage apportioned to the development corporations.

Industrial mortgages: ODC, 23 loans, $5,420,000, 61 per cent; NODC, 11 loans, $2,231,000, 25 per cent; EODC, seven loans, $1,209,000, 14 per cent.

Pollution control loans: There were only two, and they were both through the Ontario Development Corp. for $275,000.

Tourist industry loans: ODC, 47 loans, $6,155,000, 42 per cent; NODC, 58 loans, $6,038,000, 41 per cent; EODC, 27 loans, $2,551,00, 17 per cent.

Small business loans: ODC, 48 loans, $1,703,000, 72 per cent; NODC, seven loans, $237,000, 10 per cent; EODC, 12 loans, $435,000, 18 per cent.

Venture capital loans: ODC, six loans, $318,000, 86 per cent; NODC, no loans; EODC, one loan, $50,000, 14 per cent.

I would draw your attention to the next area, Mr. Speaker, because it is available to any industry in the Province of Ontario wishing to expand its opportunity in export markets.

Export support loans: ODC, 34 loans, $7,297,000, 85 per cent; NODC, one loan, $20,000; EODC, six loans, $1.3 million, 15 per cent.

Mr. Stokes: Well, therein lies the tale.

Mr. J. F. Foulds (Port Arthur): Does the minister think that justifies his position? What kind of nonsense is this?

Interjections by hon. members.

Mr. Speaker: Order, please. Order, please.

Hon. Mr. Bennett: Mr. Speaker, the NODC loan under export support is available to anyone in the province; it is not a development loan but is to help industry to expand.

Mr. Foulds: It just points out the flaws and weaknesses of the programme.

Mr. Speaker: Order, please.

Hon. Mr. Bennett: The next programme, the Ontario Business Incentives Programme, was announced by the Premier (Mr. Davis) in the summer of 1973. It was designed to encourage industrial and tourism development by providing incentives such as interest rates lower than prevailing market rates.

Mr. M. Cassidy (Ottawa Centre): Say that again. Say it again.

Hon. Mr. Bennett: These loans, as the members know, are to be repaid; and the repayment provision is for deferment of both principal and interest for a period of time as directed by the boards of directors.

The interesting category is this one, sir: ODC, four loans, $976,000, six per cent; NODC, 30 loans, $7,612,000, 48 per cent; and EODC, 20 loans, $7,196,000, 45 per cent.

Mr. J. H. Jessiman (Fort William): What a record!

Hon. Mr. Bennett: If the member for Thunder Bay subtracts the export support loans from the ODC, he will find that more money was lent through NODC than through ODC.

Mr. Foulds: That's a big if.

Hon. Mr. Bennett: I would like to compliment the board of directors of NODC for their genuine interest in the economic well-being of the north, so evident by the number of loans they have dealt with this year.

Mr. Lewis: What was the definition of the business incentive loan?

Hon. Mr. Bennett: I will reiterate that loans are not made unless an application is made to one of the development corporations, Mr. Speaker. However, I do say that northern Ontario has been treated well by the Northern Ontario Development Corp., as the complete statistics now show. The Eastern Ontario Development Corp. has been in existence for a short period of time, but obviously it is already having a beneficial impact on the economic well-being of eastern Ontario.

The activity of the development corporations is evident when you look at the 12 months of 1972-1973 when a total of $24 million was lent, while from April 1 to Nov. 30, of 1974, eight months, a total of $51 million has been lent by the development corporations. Let me say to the members of the House, the development corporations will continue to be aggressive in helping industrial and tourism development in the Province of Ontario.

Mr. Lewis: On a point of order, Mr. Speaker, if I may, sir. I wonder if the minister who just spoke—there was some noise in the House—could he just take a moment to repeat the one paragraph describing what the Ontario business incentive loan was? I think it was the last loan programme. He referred to the Premier making an announcement.

Hon. Mr. Bennett: Mr. Speaker, back in June of 1973 we announced the Ontario Business Incentive Plan under all three development corporations. The development corporation had the opportunity of reviewing the applications and deciding on those applications the sum of money that should be lent to them. They had the opportunity also to recommend to the minister and to cabinet that the repayment of the loans could be deferred for a period of time and the interest effective thereon could also be deferred for a period of time—but they were expected to be paid in full as far as the principal was concerned.

CONDOMINIUM MORTGAGES

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, during my supplementary estimates debate yesterday I undertook to reply to the member for Downsview as quickly as possible and the member for Wentworth as quickly as possible.

I would like to address my remarks now to the member for Downsview, but before going into detail in answer to the questions raised, I would like to make several general points.

First of all, the member has applied a set of rules in existence today to transactions which occurred two or three years ago, under very different circumstances, when such rules were not in existence.

Second, all the units he mentioned are condominium apartments and the rules that applied at that time to single and semi-detached houses on HOME-leased lots did not apply to condominium units.

Mr. V. M. Singer (Downsview): The minister admitted yesterday that the rules did apply to condominiums.

Mr. Renwick: How can the minister answer specific charges with generalized statements such as that?

Mr. Speaker: Order please.

Hon. Mr. Irvine: Third, he has related a 1971 interest rate to today's—

Mr. Renwick: Why doesn't the minister save his breath?

Hon. Mr. Irvine: —interest rate and come to the conclusion, which is erroneous, that these purchases were subsidized. They were not.

I am sure the hon. member will recall that in 1971 and 1972 there were a large number of condominium units—

Mr. Renwick: The minister should stop stonewalling and sit down. Get on with it; we have got enough of that.

Hon. Mr. Irvine: —which came on the market in Metro which resulted in a very depressed market for such units.

To be more specific, on March 31, 1972, OHC, though Housing Corp. Ltd., had mortgage commitments for 13,927 units, of which 9,782 remained unsold. At that date, the specific projects he has singled out, Crescent Town and Flemingdon Woods, were faced with that situation.

Crescent Town had been on sale for 55 weeks and only 227 units out of a total of 1,416 had been sold. Flemingdon Woods had been on sale for 43 weeks, and only 156 units out of 1,794 had been sold.

The mortgage commitment for these units was issued March 31, 1970. We are therefore discussing a mortgage commitment given out four years ago. The initial rate to the builder was at 9.5 per cent, but the rate to the purchaser was at 8.75 per cent, as interest rates at the time of marketing had dropped. This matched the direct lending rate of Central Mortgage and Housing Corp. under the National Housing Act.

The long-term borrowing rate of the province at that time was 7.95 per cent, which was the cost to Housing Corp. Ltd.; so therefore the 8.75 per cent on the mortgage in question was not subsidized. In fact, this rate more than covered our costs, although it was slightly below the prevailing market rate at that time.

In the original contract there were sale price restrictions and resale restrictions. On May 16, 1972, faced with the marketing difficulties at that time, OHC removed these restrictions to make the product more salable.

These mortgages then became no different from federal direct lending under the National Housing Act, and there is no restriction today on anyone owning more than one of these units any more than there is on anyone owning more than one unit financed uder the National Housing Act. It's the same thing.

In particular, let's take the case, Mr. Speaker, of David and Heather Morris, which was raised by the hon. member yesterday. The Morris family purchased their initial unit — unit 3, level 21 — in Crescent Town at 60 Pavance Linkway on April 1,

1972, and still live there. This year the Morris family bought three other units at 5 Vicora Linkway in Crescent Town from the original purchasers. They have done nothing illegal: there are no restrictions on resale from the original purchaser who bought two or three years ago, nor can we make today's regulations apply to the mortgages given out at that time under the commitment which was issued much earlier.

The cases raised by the hon. member in connection with Flemingdon Woods fall into the very same category. For new condominium highrises, the prevailing regulations were reinstated on May 27, 1974.

In summary, then, Mr. Speaker, these mortgages have a 35-year term, similar to the NHA direct lending at that time. So as to encourage marketing at that time, there are no resale restrictions and there is no legal impediment to their free trade.

OBLIGATIONS OF H.O.M.E. PURCHASERS

Hon. Mr. Irvine: Now I shall reply to the member for Wentworth, who asked the question: "Can OHC be aware of a situation whereby a man buys a HOME plan house, doesn't live in it himself but leases it out to tenants . . . and the corporation does nothing about it?"

Mr. Speaker, in reference to the hon. member's question yesterday regarding the purchase of a HOME plan house in Bramalea and its subsequent occupancy by a tenant family, it is not quite accurate to say, as he did, that the corporation has taken no action.

In November, 1973, Mr. Iftkar Kalyani submitted an application to Central Park Developments for the purchase of a four-bedroom house under OHC's lot-lease programme in Bramalea. The mortgage application, together with a credit report, indicated that Mr. and Mrs. Kalyani met the requirements of the programme and the mortgage application was approved by OHC in January.

Following the completion of the house in March, 1974, however, Mr. Kalyani, without obtaining permission from OHC leased the house in April to Mr. and Mrs. Tom Nancekivell, I believe for a rental of $275 per month. His monthly payments were $267.17.

The first indication OHC had that the Kalyanis were not occupying the house occurred in May, when the Nancekivells described the situation by telephone and later in a letter to OHC. A series of notices to Mr. Kalyani outlining his breach of covenant brought no response from him until a letter of July 8, in compliance with the legal requirement to provide 45 days' notice for such action, informed him that his lot-lease would be terminated on Aug. 30.

A series in interviews followed between Mr. Kalyani and the lease administration staff. In the course of the discussions Mr. Kalyani was informed that if he was not prepared to live in the house he would not be permitted to retain the property. Mr. Kalyani responded by selling the house and, in accordance with the terms of the lease, when his application to assign the lot lease to a new purchaser was received, the land was reappraised, increasing the monthly ground rent payment to $131.35 from the original $88.67.

A review of all documentation relating to the planning purchase of the property and its subsequent sale is currently under way and there is a possibility that legal action will be taken.

The hon. member also made reference to a number of houses in the same area being vacant since spring. This is true in a few instances and it results principally from changes in personal plans of the original purchasers. These houses are either in the process of being retrieved or being sold to new persons.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

OIL AND NATURAL GAS PRICES

Mr. R. F. Nixon (Leader of the Opposition): I'd like the Minister of Energy to give us a bit more information based on his statement. Does he not only feel that that bill should be proceeded with forthwith, but it should lead in fact to a marketing board establishment at the national level which would have the power not only to impose pricing on a national basis but to control all aspects of marketing, as was his recommendation, as I recall, earlier in 1974?

Does he still feel—this is really a supplementary based on the first question—that the marketing board type of control would be in the best interest of the situation that we now find, which was his recommendation, I believe, in February of this year?

Hon. Mr. McKeough: Mr. Speaker, I can think of a number of questions which I might have been asked. That's certainly not the one I was expecting.

Mr. Lewis: That is true.

Hon. Mr. McKeough: I hadn't thought of today's statement in terms of solutions which we may have suggested in the past. I think we have suggested a marketing board approach in the past. It was on the basis that there would be consumer and producer representation, representation from the consuming and producing provinces. I rather suspect we've passed that point.

Mr. R. F. Nixon: Supplementary: Since we are passed the approach where consumers and producers are going to work together on some sort of rational marketing legislation, what can be done, in addition to simply circulating the strongly held position of the Ontario government in this regard, to bring the matter under control? What is the minister proposing to do besides simply stating his strongly held views?

Hon. Mr. McKeough: We have communicated our views, or are in the process of communicating our views, to both the Minister of Energy, Mines and Resources and to the leader of the official opposition.

Mr. Lewis: Mr. Speaker, a supplementary, if I may: Having finally after all these months and years declaimed that he thinks oil prices are high enough, how does the minister intend to make that part of the statement stick? Does he intend to adopt the Nova Scotia position, giving to the Energy Board or an equivalent commission the authority to control prices. Does he intend to challenge the federal government constitutionally, should prices go up? How does he intend to give substance to his assertion?

Hon. Mr. McKeough: Mr. Speaker, all the Nova Scotia legislation realistically does is give the authority to control what happens within Nova Scotia at the refinery and at the retail level.

Mr. Lewis: That's right.

Hon. Mr. McKeough: It has nothing to do with the cost at the pump.

Mr. Foulds: Which pump?

Hon. Mr. McKeough: At the well rather. The refinery markup and the dealer markup are becoming increasingly a smaller portion of the total price. Roughly, out of a 65-cent price for gasoline, probably somewhere in the neighbourhood of less than 20 cents is attributed to a refinery or to the dealer margin. Most of it is now at the wellhead, or a good chunk of it, of course, is taken off in provincial gasoline taxes.

As to control of what goes on at the refinery, I think most reasonable people would agree that the refinery margins in the last 10 or 15 years have been very, very narrow and that the profits of the oil companies have not been made at the refineries nor have they been made at the pumps. They have been made at the wellhead.

Mr. Renwick: No, they have been made as an integrated operation, and the minister knows it. Don't try to divide it up.

Mr. Lewis: They've been made from the consumers, who pay the price.

Mr. Speaker: Order please. The hon. minister is answering the question.

Mr. Deans: Not very well.

Hon. Mr. McKeough: There is no question that the consumer has paid the price. But what we could control either at the refinery or at the pumps is not where the problem is, if I can put it that way.

Mr. Renwick: In the food industry the government doesn't make this argument.

Hon. Mr. McKeough: Those people over there would control everything.

Mr. Lewis: I knew this was coming—a little spasm on Thursday afternoon.

Hon. Mr. McKeough: They would control everything.

Interjections by hon. members.

Hon. Mr. McKeough: It is the festive season. I suspect tomorrow they'll want to set up a royal inquiry and a permanent price inquiry—

Mr. Lewis: Indeed, on Christmas tree nationalization.

Hon. Mr. McKeough: No, into turkeys.

Interjections by hon. members.

Mr. Speaker: Order, please, the member for Huron with a supplementary.

Mr. J. Riddell (Huron): Mr. Speaker, apart from the marketing and supply aspect of this overall energy problem we appear to be having, when is the ministry going to put more emphasis on controlling demand through energy conservation methods, rather than placing all its concern on trying to increase supply for an increasing demand? Are you aware, Mr. Minister, that Ontario uses twice as much energy per capita—

Interjection by an hon. member.

Mr. Speaker: Order, please. I think you have placed your supplementary question.

Mr. Riddell: —as compared to the European countries?

Interjection by an hon. member.

Mr. Riddell: What about energy conservation?

Hon. Mr. McKeough: Mr. Speaker, I indicated in the course of the bill on the energy corporation a week or so ago—

Mr. Stokes: Does it involve sweaters?

Hon. Mr. McKeough: —that I expected in a couple of months time we would have a very comprehensive statement—not on energy conservation; we prefer to call it energy management—working towards the sort of things which the hon. member has suggested. But we reject that the conservation of energy can best be achieved by higher and higher prices. We don't think that is appropriate.

We also reject as a government that the way to energy conservation is to legislate. We happen to believe over here in education and taking our time; and I've indicated some of the things that various government departments are doing, and doing very well.

Mr. Cassidy: Educate the oil companies, educate big business.

Hon. Mr. McKeough: We will not be legislating on this side of the House greater and greater demands on our citizens, nor are we going to sit back and see higher and higher prices bringing about energy conservation.

Mr. Renwick: Tell the oil companies.

Mr. P. D. Lawlor (Lakeshore): So what is the minister going to do?

Mr. M. Gaunt (Huron-Bruce): Supplementary, Mr. Speaker.

Mr. Speaker: The Leader of the Opposition.

Mr. Deans: What is the minister going to do?

Mr. Speaker: Order, please.

Mr. Gaunt: Supplementary, Mr. Speaker.

Mr. Lewis: When one takes away the minister's bombast, what is left? What is he left with?

Mr. Speaker: Order, please. The hon. member for Huron-Bruce may place his supplementary.

Mr. Gaunt: Mr. Speaker, I have a supplementary of the minister.

Mr. Lewis: What's left? Look at the price of turkeys; look what happened.

Mr. Renwick: He wants a royal commission on the price of turkeys.

Mr. Gaunt: Wouldn't the minister consider it appropriate to show some leadership with respect to energy conservation? And wouldn't a good place to start be right in the government buildings which surround the environs of this place?

Hon. Mr. McKeough: Mr. Speaker, I indicated several days ago, in response to a question, that no ministry in this government—and in my view no organization within the Ontario economy—is doing a better job than the Ontario Ministry of Government Services by way of reducing their energy demands.

Mr. A. J. Roy (Ottawa East): That is not so, and the minister would have us—

Hon. Mr. Rhodes: It's cold in my office.

Hon. Mr. McKeough: They are setting a very fine example.

An hon. member: Sure they are:

Hon. Mr. McKeough: And I am sure either we or the Minister of Government Services (Mr. Snow) will be reporting in due course on the very successful efforts taken by this government to conserve energy.

Mr. Speaker: Does the Leader of the Opposition have further questions?

OHC BRIBE CHARGES

Mr. R. F. Nixon: With the Attorney General not available to comment on the two reports that he put—

Mr. Roy: That is contempt of the Legislature.

Mr. R. F. Nixon: —before us a few moments ago, I'd like to put a question to the Solicitor General, who is already throwing up his hands and shaking his head, but he has already commented on this matter.

On page 113 of Judge Harry Waisberg's report he says, as follows: "It should be clearly understood that those who give are

at least as blameworthy as those who take." He is referring to those people who proferred bribes which were accepted by officials of the Ontario Housing Corp.

Does the minister agree—presumably he would—with this finding of the judge? And is he aware that the government is going to reconsider its position that they will not be charging those who proferred the bribes to the officials of the Ontario Housing Corp.?

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, the hon. member for Downsview asked me pretty well the same question a few days ago. I indicated that the Attorney General would be making a statement on this in due course in respect to all the OHC prosecutions—

Mr. R. F. Nixon: Where the devil is he?

Hon. Mr. Kerr: —and I would suggest that, as he will be tabling this report today, questions of this kind be directed to him?

Mr. R. F. Nixon: Well where is he?

Mr. Singer: Where is he?

Mr. Speaker: Order, please.

Interjections by an hon. member.

Mr. Roy: On a point of order, Mr. Speaker, would you not feel it is in contempt of this Legislature for the Attorney General to present two reports—one report on violence in the construction industry—

Mr. Lewis: It is just indifference.

Mr. Roy: —and one on expropriation, and not stick around to answer questions?

Mr. Speaker: Order, please. I have no control over the minister's presence. The hon. member for Scarborough West.

Mr. Lewis: May I ask of the Solicitor General: I was under the impression charges would be preferred against those who were clearly criminally complicit in the offering of the bribes. Is he saying that is not yet resolved?

Hon. Mr. Kerr: No, Mr. Speaker, as I indicated the other day, this investigation is not completed. There is a possibility that the charges will be laid, as asked by the hon. member for Downsview and the leader of the NDP. But that investigation isn't completed There are still hearings and trials to be held, and the Attorney General has indicated in the House that he will have a full answer to that question.

Mr. Speaker: The Leader of the Opposition.

Mr. Roy: A supplementary question, Mr. Speaker, of the Solicitor General. Can he explain the pattern of his government whereby in all these cases only the person who accepts the gift—whether you talk about Ontario Housing or Dibblee Construction in Ottawa, or in the construction industry now, Mr. Speaker, at no time has anyone offering or giving a bribe been charged, and clearly they are parties to this offence under section 383 of the Code. How is it that no charges have ever been laid against a person who offers or who gives a bribe?

Hon. Mr. Kerr: The only thing I can say, Mr. Speaker, is that at this time of year—

Mr. R. F. Nixon: At least he is guilty before the recipient.

Hon. Mr. Kerr: —it's better to give than receive.

Interjections by hon. members.

Mr. Speaker: The Leader of the Opposition.

Mr. P. Taylor (Carleton East): On a point of order.

Mr. Speaker: A point of order.

Interjections by hon. members.

Mr. Speaker: Order please. The member has a point of order.

Mr. P. Taylor: Thank you, Mr. Speaker. We know that the government is short of a leader, but could somebody on that side tell us who the acting Premier is today?

Interjections by hon. members.

Mr. Speaker: That's a non-question.

The Leader of the Opposition; further questions?

Hon. Mr. Rhodes: Oh, he is a riot, he is a real riot.

Hon. W. A. Stewart (Minister of Agriculture and Food): The member will never be that.

Mr. R. F. Nixon: That is the answer. That's why the minister is over there.

Interjections by hon. members.

Mr. R. F. Nixon: Is somebody going to answer that? Is anybody going to comment on that?

Interjections by hon. members.

Mr. R. F. Nixon: I remember the Attorney General was designated assistant Premier many months ago. It's when he stopped showing up.

WINDSOR TEACHERS' DISPUTE

Mr. R. F. Nixon: I'd like to ask of the Minister of Education if he can report on the state of the negotiations between the teachers and the board in Windsor since he personally took part in them. Is there any chance that the formula that was used elsewhere, this final offer acceptance arbitration, might possibly be of some assistance in that circumstance?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, all I can report to the hon. member is that there will be some more meetings with both groups later this afternoon.

Mr. Speaker: Any further questions?

Mr. E. J. Bounsall (Windsor West): Supplementary.

Mr. Speaker: The member for Windsor West.

Mr. Bounsall: Yes, Mr. Speaker. Can the minister inform the House whether or not the spending ceilings imposed by the province on education is having any effect on these negotiations?

Hon. Mr. Wells: All I can say is that the school board has said many times that spending ceilings were no problem in the particular situation in Windsor.

Mr. Lewis: Really.

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: As a supplementary, if I may, Mr. Speaker: What about the situation where the final offer arbitration was used and according to the chairman of the board—

Mr. Foulds: It's still a form of arbitration.

Mr. R. F. Nixon: —it will, in fact, break the ceiling, or the budgetary requirement?

Hon. Mr. Wells: Mr. Speaker, I have learned from long experience that no one really knows where they will actually end up, insofar as ceilings and limitations are concerned, until the final financial statements are in. That'll probably be some four, five, six or seven months hence, and we'll have to see at that particular time.

Mr. R. F. Nixon: Supplementary: Since the statement from the chairman of the board did not seem to be equivocal, and although of course he has not had the experience in dealing with these matters as the minister has, the minister is saying that he is categorically wrong.

Hon. Mr. Wells: Oh, no, I am not saying that he is categorically wrong. I didn't say anything of the kind. I just said that I don't think anybody can tell at this particular time—

Mr. R. F. Nixon: He says he can and that the ceiling is broken.

Hon. Mr. Wells: If that of course was the case he could easily make that come true. That prediction could easily come true by say, spending surplus money in other budget accounts. Until the books of the board are finished and the—

Mr. Lewis: That is right.

Mr. Foulds: That's what they are doing in Thunder Bay.

Hon. Mr. Wells: —year is finished off and the financial statements are in it's very difficult to know.

I'll just tell my friend that I think he'll recall we had some discussions with the Metropolitan Toronto School Board a couple of years ago which resulted in their saying they'd need a loan of about $8 million in order to balance their books for that year. We agreed to a loan of $8 million. In actual fact when the books were closed and things were balanced at the end of the year, they took a loan of $1.9 million.

Mr. Speaker: The Leader of the Opposition, further questions?

Mr. R. F. Nixon: Yes, I'd like to ask the—

Mr. B. Newman (Windsor -Walkerville): Supplementary.

Mr. R. F. Nixon: I am sorry.

Mr. B. Newman: Could the minister inform us whether the COLA proposition of the teachers is the drawback towards settlement in the Windsor situation?

Hon. Mr. Wells: Mr. Speaker, I don't think I should comment on any of the terms and things that are being discussed by the parties.

Mr. Speaker: A new question from the Leader of the Opposition.

ROUTE OF PETROLEUM PIPELINE

Mr. R. F. Nixon: Is the Minister of Energy in contact with the federal officials about the status of the famous pipeline that was required, and probably still is, on emergency basis to provide crude oil to the Montreal and eastern market? Has that status changed in the last few days? Are the hearings that were supposedly to be held on its location and its effect on the farm community been postponed?

Hon. Mr. McKeough: I am just going by recollection but I think the hearings as to the environmental considerations of the route were completed a month or so ago. I don't think the board has issued its report; I am not sure of this. The next hearing—if, as and when it's to be held—will concern itself with the charges.

Mr. R. F. Nixon: The status has not changed?

Hon. Mr. McKeough: Not that I am aware of, but if I am wrong, I will certainly get the information and correct it tomorrow.

Mr. Speaker: The member for Scarborough West with his questions.

OIL AND NATURAL GAS PRICES

Mr. Lewis: Mr. Speaker, I would like to come back briefly to the Minister of Energy and ask him again: Has he any specific proposal to put to the Legislature at all which would give substance to his public declaration that gasoline, home fuel oil and natural gas prices generally will not be allowed to rise in Ontario? How does he intend to effect that if he meets resistance from the federal government or the Province of Alberta?

Hon. Mr. McKeough: Well, then we don't. It's as simple as that. What we have been trying to say to the hon. member is that the control of natural gas or oil at the wellhead does not lie within the power of the Province of Ontario.

Mr. Renwick: We are not talking about the wellhead.

Hon. Mr. McKeough: That power could be given to the government of Canada if it enacts Bill C-32. We are calling upon them to enact Bill C-32 and get on with the job. If they don't, then I think the picture—

Mr. Lewis: Then we pay.

Hon. Mr. McKeough: —then we pay, and I don't think that there is anything that we can do in this province.

Mr. Lewis: All right. That's interesting. Suppose the federal government doesn't act, Mr. Speaker; are we going to do nothing in the Province of Ontario to regulate those prices which are within our control and which the consumer pays? Will we exercise no restraint on the oil companies at all in that margin over which Ontario has control?

Hon. Mr. McKeough: Mr. Speaker, we already regulate the natural gas companies and what I have indicated to—

Mr. Lewis: I understand that. I said oil companies—gasoline.

Hon. Mr. McKeough: —the member, who has this fetish about regulating, is that—

Mr. Lewis: That's right. Where the oil companies are concerned, it is a fetish.

Hon. Mr. McKeough: —I am in favour of regulation when I think something is going to be achieved, but when most of the selling price of a product is determined outside of this province, I don't see why we need to go through a great, useless exercise which will not achieve very much. If that's what the member likes to do, if he wants to build up a bigger and bigger bureaucracy and regulate everything, let him go to it; just let him go to it.

Mr. Renwick: It is so in the natural gas field and the minister knows it. He regulates it here.

Mr. Lewis: Look, the minister made a marginal statement.

Hon. Mr. McKeough: In answer to the hon. member's question, Mr. Speaker, I say this, that the proportion relating to what goes on at the refinery—which may, or may not, be in Ontario—and what goes on at the dealer level, the retail markup—

Mr. Renwick: There are some refiners in Ontario, and the minister knows it.

Hon. Mr. McKeough: —is just about the same proportion as what goes on in the selling of bananas. Does the member want to regulate bananas—because most of it is done outside this province?

Interjections by hon. members.

Mr. Gaunt: Don't dare regulate turkeys.

Hon. Mr. Stewart: They are regulated now.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: It is interesting that both turkeys and bananas should come to the minister's lips so quickly.

Given the control, given the location of natural gas, what is the difference which he can describe between bringing the natural gas companies under the regulatory authority of the Ontario Energy Board—Canadian corporations, it should be pointed out — and exempting from regulation, any regulation, the multinational oil companies — American companies, it should be pointed out?

Hon. Mr. McKeough: Well, my hon. friend knows the answer to that and my friend knows completely that the natural gas companies in this province are granted by the Ontario Energy Board under an authority of a statute passed by this Legislature—

Mr. Lewis: Yes.

Hon. Mr. McKeough: —a monopoly in a certain part of the province.

Mr. Lewis: Yes.

Hon. Mr. McKeough: In the case of gasoline and heating oil, we have something like—

Mr. Lewis: What's the difference?

Hon. Mr. McKeough: —seven or eight competing companies. My friend knows nothing about competition.

Mr. Lewis: Competition?

Hon. Mr. McKeough: He knows nothing about competition. He doesn't know anything about competition.

Mr. Speaker: Any further questions?

GASOLINE PRICES

Mr. Lewis: Yes, I have another question of the Minister of Energy. When was the last time he saw competition in prices to the consumer in Ontario between, let us say, Imperial Oil and Shell? Tell us. Tell us of the competition.

Hon. Mr. McKeough: I could take my friend out to a pump right now and show him 10 different prices in this city. He should open his eyes; let him open his eyes and take off—

Interjections by hon. members.

Mr. Renwick: Don't be ridiculous.

Hon. Mr. McKeough: There are differences in prices in gasoline in this province. There was an excellent story in the Windsor Star.

Mr. Lewis: Between the south and north there are differences.

Hon. Mr. McKeough: There are differences of 10 and 15 cents at the pump. If he takes off his pink-coloured glasses and goes out and looks at the pumps he will see some competition.

Interjections by hon. members.

Mr. Foulds: Don't suggest those differences are with the same company between the north and the south.

Mr. Speaker: Order, please. The hon. member for Scarborough West has the floor. Would he please continue?

Mr. Lewis: I'm taking the minister's statement to the solid waste task force, Mr. Speaker, because that's what's left of it.

Interjections by hon. members.

EXPROPRIATION REPORT

Mr. Lewis: May I ask of the Attorney General, who has deigned to return to the majesty of the chamber, a question on his expropriations report? Since the Expropriations Act report indicates pretty strongly a criticism—virtually a condemnation—of the expropriation procedures used in the North Pickering community project, what will he now do by way of legislation to ensure that it never happens again without a public inquiry or indeed somehow to reinstate the public rights which have been lost by so many citizens in North Pickering?

Hon. Mr. Welch: Mr. Speaker, I don't know if I'm prepared to accept the assumption that the commissioner was that violently critical under the circumstances.

Mr. Lewis: It's right here. I didn't say violently. Don't use extreme language. Don't use hyperbole. Let the minister contain himself.

Hon. Mr. Welch: I know the member is trying to get over his encounter with the Minister of Energy and I'll give him time.

Mr. Lewis: I will survive it. When I want to tone down, I turn to the Attorney General.

Hon. Mr. Welch: I want to assure the member that there is no competition between the two of us to have any more models from him at all.

Mr. Lewis: If I want an indirect answer, I ask the Attorney General a question.

Hon. Mr. Welch: If he will allow me, I'll answer the question.

Mr. Lewis: Yes, I am sorry.

Hon. Mr. Welch: The commission does raise some concerns that were expressed by a former Minister of Housing with respect to large-scale expropriation, that the Act itself did not seem to lend itself to that type of large-scale acquisition.

Mr. Lewis: That's right.

Hon. Mr. Welch: I am sure the member would understand that was one of the reasons that prompted the review of the Act in the first place. I can assure him, in keeping with the spirit of the statement read at the time of the tabling of the report, that those recommendations, along with comments such as his own and public response generally, will be taken into account as we give some consideration to what changes may be necessary in the Expropriations Act as a result.

Mr. Renwick: What will the government do to right the wrongs to the people in North Pickering?

Mr. Lewis: That is the question, Mr. Speaker. Is there anything in the world that might be done, given what is said in this report about individual expropriation proceedures used in a massive acquisition? Is there anything that might be done for those who have suffered inappropriate expropriation to the tune of an expenditure of $166 million on many thousands of acres of land? Can the minister try to correct the injustice which was perpetrated?

Hon. Mr. Welch: Mr. Speaker, I think that's an interesting way the question is put. I don't know that there are inappropriate expropriations in that situation.

Mr. Renwick: It says so. Read it.

Hon. Mr. Welch: All I'm talking about is that as far as justice and compensation are concerned the procedures are quite clear with people who are involved in that particular situation.

Mr. Speaker: Any further questions?

HOUSING STARTS

Mr. Lewis: Yes, I have one last question of the Minister of Housing, if I may, Mr. Speaker. Is the Minister of Housing aware that the housing starts in urban Ontario in November, according to CMHC, were down 4,217 units or 45 per cent from last year; and that we can now predict a total output of 87,000 units in this annual year or, because the minister likes to use fiscal year now, a total of 82,000 units for the fiscal year? Now that we're 20,000 to 30,000 units down from last year, where do all the OHIP starts and OHAP starts and everything else fit in?

Hon. Mr. Irvine: Mr. Speaker, I am well aware of the figures that the hon. member is relating, and I'm awfully glad to have this opportunity to say that finally I've been able to communicate directly with the federal minister responsible for housing.

Mr. Lewis: Did this minister pick up the phone?

Hon. Mr. Irvine: I was able to get the message across, maybe a little bit more forcefully than I had in the letter, that we did need funding in Ontario. I believe he is making an announcement today which says that the allocation for the limited dividend programme will be increased substantially. Therefore, we will be able to have funding which we needed long before this. At least, we're getting co-operation now, and I appreciate the co-operation that the hon. minister has given me in this regard, because I think we do all have to work together.

Mr. Lewis: By way of supplementary: Is the minister saying that when Barney Danson gives him more money for, of all things, limited dividend housing—a pretty unsuccessful programme for the last decade—this is going to compensate for the continual lag to which he seems to be attached?

Hon. Mr. Irvine: Mr. Speaker, I think any funding that we get from the federal government is of some assistance. We hope to get more; we've asked specifically for more funding, for mortgage funding. Certainly one can't object to the fact that we now have additional mortgage money available on this particular programme. We may be successful in obtaining further funds from the federal government, and I won't give up my endeavours to get some.

Mr. Speaker: Any further questions? A supplementary?

Mr. Cassidy: In view of the reduction of more than 20,000 in urban housing starts this fiscal year, how many units does the minister expect to see begin under the limited dividend project to which he just referred?

Hon. Mr. Irvine: Mr. Speaker, I haven't got a crystal ball. I can only hope that we can achieve as many starts as possible. It all depends, as I have said many times before, on the co-operation which we receive from the municipalities. The developers have come to us with all kinds of proposals—we have them on record right now. So the developers are ready to go with housing starts this fiscal year of 1974-1975, and in 1976-1977.

Mr. Lewis: The housing policy is a failure.

Hon. Mr. Irvine: But we have to have the co-operation of the federal government and the municipalities in regard not only to funding from the federal government but we have to have the municipalities agreeing to a logical impost charge against the development, regardless of where it may be.

Mr. Speaker: The member for Downsview.

CONDOMINIUM MORTGAGES

Mr. Singer: Mr. Speaker, I have a question of the Minister of Housing. Doesn't the minister find the statements he made today rather peculiar—?

Hon. Mr. Irvine: No, I don't.

Mr. Singer: Well, all right—in view of these facts:

1. The fact that when I posed the conditions to the minister yesterday in my speech and asked him if they were correct, he said yes;—

Hon. Mr. Irvine: Or today.

Mr. Singer: Yesterday, before I launched into the details, I asked him specifically and he said yes.

2. The fact of the inclusion in the HOME mortgages of clause 21, which gives to OHC the right to take back the mortgages if there is an assignment which they don't like;

3. The fact that the minister is unable to table the forms that are presently used;

4. The fact that there is no statement of his present procedures as yet so that nobody, apparently, knows them;

5. The fact that the minister knows we tried to get from him and from his department a statement of these procedures over the last 10 days and none was forthcoming;

6. The fact that there is no statement as to whether or not this giving of a little bit off the interest rate was compensated for in any way and no financial statement as to how much it cost the taxpayers of the Province of Ontario;

In view of all those facts, doesn't the minister find his answer substantially lacking in answer to the points I put forward yesterday?

Hon. Mr. Irvine: Mr. Speaker, I think I have to start off by saying that I guess I didn't read it very clearly. I will send the member a copy of the statement which I read to the House. I am sorry if he didn't hear it all, but really what he has said is exactly the opposite of what I read out.

Mr. Breithaupt: That's probably the case.

Hon. Mr. Irvine: We didn't subsidize—I say that for one thing—

Mr. Singer: The minister said the rate was a little less—he didn't say how much it was.

Hon. Mr. Irvine: No, no, no. Read the statement. I will give the member a copy of the statement. There is no question of what I said.

An hon. member: He is wasting the question period.

Hon. Mr. Irvine: The fact that we have certain rules today—

Hon. Mr. Rhodes: They have to pay attention.

Hon. Mr. Irvine: Yesterday during the estimates I said the rules that the member read out were applicable to today, and he said "fair enough." I didn't say they were applicable to 1970 or 1972.

Mr. Singer: Hansard will speak for itself. There it is.

Hon. Mr. Irvine: The regulations are administered by the Ontario Housing Corp. They are the ones who decide as to the guidelines. The regulations are in front of the member—he read them out. So therefore everything that he has said is in direct contradiction to what I have already given him.

Interjections by hon. members.

Mr. Singer: Absolute stonewalling.

Hon. Mr. Irvine: All the member has to do is read the statement and he will know that what I said was the truth.

Mr. Singer: The minister is stonewalling. He is not going to get away with it.

Hon. Mr. Irvine: I am not trying to.

Mr. Speaker: The member for Windsor West has a question.

ROYAL COMMISSION ON BUILDING INDUSTRY

Mr. Bounsall: A question of the Minister of Labour, Mr. Speaker: Is the minister going to take immediate action on Judge Waisberg's strong condemnation in the royal commission report on the building industry of the lengthy and very expensive certifications, arbitrations and jurisdictional disputes, and his recommendation to lower the automatic certification from 65 to 50 per cent?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I have not yet had an opportunity to read the Waisberg report. During this time of goodwill in the Christmas season I think it will make good seasonal reading. I am looking forward to it.

An hon. member: He has a strange sense of humour.

Mr. Lewis: How come he gets a hard-cover copy?

Hon. Mr. MacBeth: I was objecting, Mr. Speaker, because some of the members had copies before I received a copy.

Mr. R. F. Nixon: Looks like a popular novel.

Mr. Breithaupt: Reads that way, too.

Mr. Lewis: Why isn't there a picture of the member for High Park on the back?

Hon. Mr. MacBeth: I think that it should have been.

Hon. L. Bernier (Minister of Natural Resources): It is the member's report.

Mr. Lewis: Why isn't his name in the report?

Hon. Mr. MacBeth: Maybe he's lucky it isn't in the report.

Mr. Breithaupt: Perhaps the member for High Park could do the book review.

Hon. Mr. MacBeth: Although I only got my copy of the book a few minutes ago, I was favoured with a copy of the summary recommendations. I think there are many recommendations in there, Mr. Speaker, that we'll be pleased to carry out. The member from Windsor has suggested that we carry out one of them and wants to know how quickly we'll carry them out.

I think there are some recommendations that union people particularly will not welcome with as much alacrity as perhaps the one pointed out by the hon. member. But I would say that we have already taken some action in regard to recommendation 14, which reads in this way: "That the number and variety of bargaining units be reduced and that province-wide and multi-trade bargaining be encouraged."

We have already appointed Mr. Donald Franks as a commisisoner of the ministry to commence investigation and to see what he can do in co-operation with the Construction Industry Review Panel.

Mr. Stokes: Mr. Speaker, in the spirit of Christmas, why doesn't the minister just say "yes"?

Hon. Mr. MacBeth: Well, yes, we're going to do many of these things—many of them.

Mr. Bounsall: A supplementary, Mr. Speaker?

Mr. Speaker: A supplementary.

Mr. Bounsall: When the minister is doing his thinking and giving consideration over this Christmas vacation, will he think about the recommendation that the welfare plans in the construction industry be administered by one province-wide agency? At the same time, will he consider the long-standing feeling by employees in the province that they should have some representation and say in the administration of their pension plan funds?

Hon. Mr. MacBeth: Is the member asking me if I will consider that?

Mr. Bounsall: Yes.

Hon. Mr. MacBeth: Yes.

Mr. Speaker: The Minister of Revenue has the answer to a question.

SALES TAX ON CHILDREN'S CLOTHING

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, on Dec. 2 last the member for

Waterloo North (Mr. Good) asked me a question regarding the application of retail sales tax on children's clothing sold in sporting goods departments and stores.

I should point out to the hon. member that, under the Act, children's normal street-wear clothing is exempt from tax when sold in the designated size ranges, regardless of whether it's sold in clothing or sporting goods stores. Examples of sports clothing that can be purchased, tax-exempt, in children's sizes are sweaters, jackets, jerseys and T-shirts; bathing suits; ski and snowmobile suits; riding habits; baseball, football and basketball pants; baseball, golf and other sports caps and hats. Also exempt are things like Balaclavas and ski caps, toques and other elastic headgear.

Specialized sports clothing in children's sizes though, is not exempt from tax. Examples of taxable specialized equipment and clothing would be baseball and football helmets and that kind of thing; baseball, boxing, golf, hockey and ski gloves; and padded and protective wear. Sports equipment such as bats, balls, hockey sticks and so forth is also taxable.

I should also point out that provision has been made for schools to buy these items of clothing and equipment completely exempt of tax for use in organized school events.

All footwear, regardless of style or size, as hon. members know, is exempt from tax if sold for a price of $30 or less a pair. Exemption applies to sports footwear such as running shoes and skates, ski boots and ballet slippers, but doesn't include things like snowshoes and swim fins.

It's come to my attention, in the course of detailing this for the hon. member, that a number of retail outlets apparently have misinterpreted these guidelines. My retail sales tax branch will be issuing a bulletin as quickly as possible to all retail outlets involved in the sale of sporting goods and clothing in order to make this matter clearer.

If the hon. member for Waterloo North has any specific case in mind where he feels tax has been incorrectly applied in the case of sports equipment or clothing, I would be pleased to hear from him and provide a specific ruling if it's required.

Mr. Stokes: What about toupees worn by sports?

Hon. Mr. Meen: Mr. Speaker, I have the answer to a second question. Would it be in order for me to give that reply as well?

Mr. P. Taylor: On a point of privilege, Mr. Speaker—

Mr. Speaker: What is your point of privilege?

Hon. W. Newman: What sort of privilege does the member want now?

Mr. P. Taylor: Mr. Speaker, day after day these ministers come to the House and, as I said yesterday in this House, the Minister of Housing consumed more than 20 minutes of opposition time this week.

An hon. member: Oh, sit down.

Interjections by hon. members.

Mr. P. Taylor: The Minister of Revenue has just consumed four minutes of the question period. This is opposition time, Mr. Speaker.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member asked the question. Sit down.

Hon. Mr. Stewart: He doesn't want an answer.

Mr. Speaker: Order, please. I have noticed also that some of the questions are quite lengthy and complicated and multiple in nature. Some of the answers may be a little long, but I think the ministers have generally—

Mr. Lewis: I told you we should have won that by-election.

Mr. Speaker: Order, please. I've heeded the request that lengthy answers be given as statements before the orders of the day.

Mr. E. Sargent (Grey-Bruce): 'Tis the season to be jolly.

Mr. Speaker: I can see no offence in this. The hon. member for St. George has a question.

INTERNATIONAL WOMEN'S YEAR

Mrs. M. Campbell (St. George): Thank you. To the Provincial Secretary for Social Development: In view of the number of inquiries I have received, would she at this point please specify what funding is available for women's events, beginning possibly in two weeks time or three weeks, for International Women's Year? What are the rules of eligibility? May I have them now please?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, I believe that information will be available early in January.

Mr. Lewis: Supplementary: Given that information, why did the minister not table today the first annual report of the Ontario Council on the Status of Women?

Hon. Mrs. Birch: I will be doing that, sir, when the proper time arrives.

Mr. Lewis: Oh, the minister is going to do it later.

Mr. Speaker: The hon. member for Port Arthur.

JOHN SEELEY

Mr. Foulds: Thank you, Mr. Speaker. In view of the decision yesterday by the board of governors of the Ontario Institute for Studies in Education; and in view of the public and editorial concern expressed by many people, including academics, that the board has not appointed Mr. John Seeley and refused to give reasons for not appointing him; and in view of the minister's own statements during the estimates which implicated him in taking a part in that non-appointment, can the minister assure this House that he will see to it that an independent inquiry board—comprising other than officials of OISE or officials of his ministry—will review this case and give reasons for the decision not to appoint John Seeley?

Hon. Mr. Grossman: There is an example of a short question.

Mr. Breithaupt: A short answer is coming.

Hon. Mr. Wells: Mr. Speaker, I have full confidence in the board of the Ontario Institute for Studies in Education—

Mr. Lewis: He shouldn't. It is a political decision and it is contemptible.

Mr. Speaker: Order please.

Hon. Mr. Wells: I have full confidence in the board. I understand they had a full and thorough discussion on it, and they've acted within their legislative and legal rights under the legislation.

Mr. Speaker: Order please, let the minister answer the question.

Mr. Lewis: No, they wouldn't stand up to that inquiry when they excluded an academic on political grounds. It is despicable.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: Supplementary.

Mr. Foulds: Supplementary: If the minister has such confidence, and in view of some statements in the press that the appointment was not made because of Mr Seeley's political opinions, is the minister prepared to table in this House the documents that led the board of governors of OISE to this position, and will he table a covering statement with that?

Hon. Mr. Wells: I think, Mr. Speaker, that the hon. member should approach the board of governors of OISE and ask for that information.

Mr. Lewis: Oh sure.

Hon. Mr. Wells: I am informed that they had a full and reasonable discussion on the whole matter on Dec. 17 and that they—

Mr. Lewis: We are not fans of Seeley, but they made a politicial decision they shouldn't be allowed to make.

Hon. Mr. Wells: I point out to the hon. member that under the Act, the board of governors has the very definite legal responsibility to hire and not to hire personnel—and they are acting under their rights given by this Legislature.

Mr. Lewis: That's right. That's true.

Mr. Speaker: The Minister of Agriculture and Food has the answer to a question.

Mr. Foulds: Supplementary: Does the minister not accept his responsibility to administer that Act?

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: Our time is just about up. We have had one or two supplementaries. It is time you placed a new question.

Mr. Lewis: One supplementary.

Mr. Speaker: The Minister of Agriculture and Food.

EGG SUPPLY

Hon. Mr. Stewart: Mr. Speaker, on Dec. 5 the member for Huron asked me a question about supplies of aggs. I took the question as notice. There was some evidence of some egg scarcity at the time when the question was asked. However, it now appears that there are sufficient egg supplies to meet market requirements.

Mr. Speaker: The hon. member for Ottawa East.

ROYAL COMMISSION ON BUILDING INDUSTRY

Mr. Roy: Mr. Speaker, a question of the Attorney General: First of all, I take it he will consult with the Solicitor General regarding the previous questions asked by my leader in relation to the building industry report.

But my question to the Attorney General is this: Is he communicating with the Attorney General of Quebec on violence in construction? Is there any exchange of information or common approach to curbing this violence in both provinces—in view of the evidence that is being disclosed by the commission in Quebec at the present time; in view of the evidence that we've heard in this report, and in view of the commission's statement on page 107 where it says "there is a common thread running through all the previously described acts of violence" in both provinces?

Hon. Mr. Welch: Mr. Speaker, I can assure the hon. member and the members of this House that our investigations are quite extensive in this regard.

Mr. Speaker: The hon. member for Wentworth.

OBLIGATIONS OF H.O.M.E. PURCHASERS

Mr. Deans: Thank you, Mr. Speaker, I have a question of the Minister of Housing, resulting from his answer to my question of the other day. How can it be that, notwithstanding the efforts of Ontario Housing to contact and to bring Mr. Kalyani into line with the law, he was able to proceed to sell the house? Is there not a requirement within the contract that he receive permission to sell the house? Did he receive the permission? If he did receive the permission, how then can the minister make the statement that he went ahead and sold the house?

Hon. Mr. Irvine: Mr. Speaker, I will just read one part of my statement—I've given a copy to the hon. member: "Mr. Kalyani, without obtaining permission from OHC, leased the house." I went on to say that Mr. Kalyani responded to our request by selling the house in accordance with the terms of the lease. Mr. Kalyani and his wife did not obtain any benefit from the sale of the house.

Mr. Deans: None?

Hon. Mr. Irvine: No. No benefit whatsoever.

Mr. Speaker: The Minister of Revenue has the answer to a previous question.

SALES TAX ON VEHICLE TRANSFERS

Hon. Mr. Meen: This answer will be even shorter than the last one, Mr. Speaker. On Friday, Dec. 13, the hon. member for Waterloo North asked me a question regarding the collection of retail sales tax by motor vehicle licensing agents. I would advise the member that the motor vehicle agents of the Ministry of Transportation and Communications, acting as agents of my ministry, collect retail sales tax based on the value of the automobile being registered.

Sales tax is collected by these agents in the form of cash or cheque and a receipt is issued for such payment. Declarations of value are filed with the motor vehicle agent at the time the retail sales tax is paid, and these forms are subsequently forwarded to the district offices of the retail sales tax branch of my ministry. An audit of the cash handling aspect of this procedure is carried out by the Ministry of Transportation and Communications on a regular basis. In addition, the auditors of the retail sales tax branch of my ministry review the value of declaration forms completed by the automobile purchaser to ensure the accuracy of the declared value compared to current market values.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Speaker, I have a question of the Minister of Transportation and Communications.

An hon. member: He just stepped out.

SS NORISLE

Mr. Sargent: Then I'll slant this toward the House leader: Since talking to the minister I have been informed that the mayor's office in Owen Sound has received a letter from the ministry regarding the SS Norisle, that they want it back unless we use it for a museum. In view of the fact that they want $6,500 back for this scrap that was sold for ballast, where do we stand?

Hon. Mr. Grossman: On board.

Mr. Roy: It should be a museum.

Hon. Mr. Winkler: Mr. Speaker, in answer to that question, I can say very definitively that I know of no letter from the government demanding the vessel back.

Mr. Sargent: Not from the House leader.

Hon. Mr. Winkler: Inasmuch as I intervened initially to secure the boat for the city of Owen Sound, I shall see that it remains there. In regard to the second half of the question, I'm not apprised of that information.

Mr. Speaker: The hon. member for Sandwich-Riverside.

TRUCK LOAD COVERS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Solicitor General regarding uncovered gravel trucks on Highway 401 in the vicinity of Milton: Why are these trucks being passed through the weigh scales? And why is the law still not being enforced, despite assurances given to the hon. member for Waterloo North on Nov. 18?

Hon. Mr. Kerr: Mr. Speaker, as I indicated at that time, the Minister of Transportation and Communications is amending regulations requiring loaded trucks to have a tarp or a cover over their load. At the present time, the only thing the police can do is to charge a truck operator in the event that he loses any part of the load; if it's dumped in the road in any way. But until that happens there is nothing the police can do, pending the amendment in the regulations. It's my understanding that the Minister of Transportation and Communications will be bringing those regulations in at any time, requiring that the loads be covered.

Mr. Speaker: The Minister of Housing has the answer to a question asked previously by the member for Downsview.

RENT INCREASES FOR GAINS RECIPIENTS

Hon. Mr. Irvine: Mr. Speaker, I have a reply to a question during the supplementary estimates that the member for Downsview asked concerning the GAINS programme and the decline in revenue of a tenant.

Mr. Singer: Yes, about Mr. Handleman.

Hon. Mr. Irvine: The member for Downsview was referring to a senior citizen resident of the Lawrence Heights housing development whose rent, he said, would increase from $38 to $48 a month on Jan. 1. An interim rent scale of senior citizens was announced Aug 8, 1974, at which time a single person on GAINS was guaranteed an income of $2,600 annually. This figure has since been increased, as members know, to $2,700 annually. The tenant's rent will be raised Jan. 1, 1975, to $45 a month inclusive of Hydro. In addition, he will be charged $1.50 for cable television for a total outlay of $46.50.

At the time this tenant's rent was assessed at $32—and that's what he pays at the present time—he had an income of $163.10 monthly. In addition, he was assessed $1 for master television and tenant service and paid approximately $6 for Hydro, for a total monthly outlay of $39. However, although the tenant's outlay would increase from $39 to $46.50, his monthly income has increased from $163.10 to $225.

In other words, out of an income increase of $61.90, only $7.50 is for accommodation and improved television reception facilities. Combined payments to senior citizens from federal-provincial sources, and not only from GAINS, increased in the period between March, 1973, and October, 1974, when a freeze on OHC rents for senior citizens was in effect.

Since a portion of the increase in income was designed to meet the shelter costs, the interim net scale was developed to establish the principle that part of the increase in income was to pay for shelter costs.

Mr. Singer: By way of supplementary, would the minister not agree that, notwithstanding—

Mr. Speaker: The oral question period has more than expired.

Mr. Roy: When is the minister going to answer my question on the order paper?

Mr. Speaker: Petitions.

Presenting reports.

Hon. Mrs. Birch tabled the first annual report of the Ontario Status of Women Council.

Mr. Lewis: Without comment? Are there no comments about why the minister won't give them enough staff to do that?

Hon. Mr. Stewart tabled the report of the Ministry of Agriculture and Food for the fiscal year ending March 31, 1974.

Hon. Mr. Welch, on behalf of the Minister of Consumer and Commercial Relations (Mr. Clement) tabled the annual report of the property rights division of the Ministry of Consumer and Commercial Relations, which included the annual report of the director of land registration.

Hon. Mr. Irvine tabled the annual report for 1973 of the Ontario Housing Corp., Ontario Student Housing Corp. and Housing Corp. Ltd.

Mr. Cassidy: After the estimates as usual.

Mr. J. A. Taylor from the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 55, An Act to prohibit Unfair Practices in Sales to Consumers.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Lawlor: No.

Mr. Speaker: I hear a no.

Mr. Lawlor: No, committee of the whole House.

Mr. Speaker: I understand it can only go to committee of the whole House. It is so referred.

Motions.

Introduction of bills.

MUNICIPAL ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the Municipal Act.

Motion agreed to; first reading of the bill.

Mr. R. F. Nixon: Which we will pass today.

Hon. Mr. White: Mr. Speaker, this bill contains a number of amendments to the Municipal Act. Of particular interest is an amendment to enable us to implement an agreement between the government of Ontario and the government of Canada with respect to regulating of taxis carrying passengers from the Toronto International Airport.

Another amendment permitting municipal control of objects placed on sidewalks will allow municipalities to deal comprehensively with such disparate items as transit shelters, newspaper boxes and sidewalk sales, and to do so without specific provincial legislation.

Other amendments clarify municipal authority to tow cars parked on private property when those cars are blocking a fire route, and liberalize the provisions for changing the status of an area from that of an improvement district to that of a village or township.

There are a number of amendments with respect to municipal financing also included in the bill. Among these is a provision to remove the requirement of departmental approval in the exercise of certain municipal powers with respect to reserve and sinking funds. Furthermore, the Municipal Act is amended to clarify that telephone company receipts under traffic agreements are taxable, and to provide a procedure for allocating the taxes on these receipts to municipalities.

It should be noted as well that municipalities have been prohibited from imposing a licence fee on trailers that are assessed under the Assessment Act. With respect to this amendment, provision is also being made for refunding licence fees which have been paid on such trailers. As well, the minister is being empowered to pay compensation under certain circumstances because of this particular change.

I am going to suggest, Mr. Speaker, that this bill go to the standing committee, because, frankly, while we have arrived at the best solution available to us as a result of a court decision in September which would empower municipalities to license mobile homes which have wheels on them, and to assess as a conventional home mobile homes without wheels on them, there is some feeling in my own self that this section might be improved upon, perhaps with the help of MPPs and other persons affected.

Under other financial revisions to the Act, the authority of municipalities to invest temporary borrowing funds will be extended, and counties will be authorized to issue debentures on behalf of constituent municpalities upon request and upon county agreement.

Finally, mention should be made of the addition of an alternative method, similar to that established for the regions, for the apportionment of costs for county purposes. This addition provides further for the payment of such costs by local municipalities

on an instalment basis when a majority of those municipalities so desire.

GIFT TAX ACT

Hon. Mr. Meen moves first reading of bill intituled, An Act to amend the Gift Tax Act, 1972.

Motion agreed to; first reading of the bill.

Hon. Mr. Meen: Mr. Speaker, this bill simply implements the provision in the budget of April 9, 1974, to permit a multiple number of gifts of farming assets up to a maximum aggregate of $50,000 with, of course, provision for filing of appropriate reports as such exempt gifts are made. Perhaps I should add that I don't propose to have this bill proceed through second reading and the rest of the legislative process until after the new year.

ONTARIO HUMAN RIGHTS CODE

Mr. Cassidy moves first reading of bill intituled, An Act to amend the Ontario Human Rights Code.

Motion agreed to; first reading of the bill.

Mr. Cassidy: Mr. Speaker, the purpose of the bill is to prohibit discrimination in the rental or sale of housing accommodation against families with children or against any person because of his age. The bill is intended to stop the increasing practice of establishing "adult only" buildings, which is particularly harmful to families because they have higher expenses and more need for living space than single people and couples, and are, therefore, at an economic disadvantage in seeking housing accommodation.

Mr. Speaker, this practice is now prevalent in Toronto, it has crept into Ottawa both in rentals and in condominiums, and it's something which I fear could really affect families across the province.

Mr. Speaker: We don't debate the bill at this time.

Mr. Cassidy: In order to balance the obligation to accept children, the bill permits landlords to set a limit on the number of occupants of any dwelling unit, provided that the limit is not less than one person per room. Housing that is limited to senior citizens aged 60 and over is also exempted.

Mr. Speaker: Orders of the day.

Clerk of the House: The 16th order, House in committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF EDUCATION

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Would the minister mind explaining the purpose of the $55 million? It will probably save a lot of questions later.

Hon. T. L. Wells (Minister of Education): Mr. Chairman, every three years the actuary makes a valuation of the teachers' superannuation fund. The last valuation was made as of Dec. 31, 1969, and it was completed in September, 1971. This actuarial report showed an experience deficiency in the fund, as of the valuation date, of $49,175,000. According to section 2(3)(c) of the Ontario regulation 103/66 made under the Pension Benefits Act, 1965, such a deficiency must be liquidated by special payment over a term not exceeding five years from the date of which the deficiency was determined.

This amount here, Mr. Chairman, represents the experience deficiency plus the interest rate that has been paid on it, and it comes to a total of $55,909,800. Now, the interest paid on the back payments varies with the years involved and it reflects the rates which the payments would have earned for the fund had the payments been made on schedule at the end of each year. They weren't made on schedule and are now being made in one lump sum, but the interest is being calculated as if they had been made at the beginning of January of each of the years when they would have been due.

Mr. D. M. Deacon (York Centre): At what rate is that interest being calculated?

Hon. Mr. Wells: The interest rate was calculated at six per cent, 8.57 per cent, 7.86 per cent and 8.06 per cent for the different years. Thus the fund is really at the present time placed in exactly the same position as if the payments had been made on the dates when they were due. So this really is—I suppose you could use the term—a technical matter which is required under the pension benefits legislation and which is being paid in accordance with all the rules and procedures. That money is now going into the fund.

Mr. Chairman: Shall vote 2701 carry?

The hon. member for Port Arthur.

Mr. J. F. Foulds (Port Arthur): I have just one comment on it, if I may, Mr. Chairman. We had an opportunity during the estimates to discuss the fund, but I would just like to get from the minister, if I could, a reconfirmation that when we resume this session in the coming year we will have an opportunity to have the full superannuation board, before a standing committee of the Legislature simply to have an exchange of views and opinions and to elicit some of the necessary information about the running of the superannuation fund that has arisen over the last year because of various documents of the OSSTF and the OTF and other groups. Could the minister reconfirm that?

Hon. Mr. Wells: Certainly. That was my intention.

Mr. Deacon: Mr. Chairman, I just want to ask the minister the basis on which those particular interest rates were calculated. What was the basis of arriving at the 6.85 and the other interest rates? Was it an average market interest rate?

Hon. Mr. Wells: That's the interest rate my colleague the Treasurer (Mr. White) mentioned when he talked about the investment of the funds. I think it is the interest rate for the year preceding that the government is paying on its bonds, I think that was the calculation of the interest rates. That's not the current year, but the year just past.

Mr. Deacon: Is that the interest rate the government had to pay on the market place or on its bonds, say, that it sells to OMERS or another captive fund?

Hon. Mr. Wells: It is the rate that the government is paying on its bonds.

Mr. Deacon: Yes, I realize that, but the government's rate on the bond market that it pays on its bonds to OMERS is one rate, but what it has to pay in the Ontario market when it markets some bonds—which it hasn't done for some time—on the Ontario market system, is that the rate at which they are basing their calculations? I want to be sure that this is an honest interest rate based upon what prevails in the open market.

Hon. Mr. Wells: I am sorry I haven't got the section here to read from the Act, Mr. Chairman, but the Act was amended and it is the first one that the member quoted.

Mr. Chairman: Vote 2701 carried? The hon. member for St. George.

Mrs. M. Campbell (St. George): I have just one question. In view of the fact that we are now dealing with the matter of the superannuation commission and funding, has the minister given any further consideration to that group of teachers who have been forced to take an early retirement by reason of ill health and who have not as yet caught up with the advances which have been made to other teachers in the same field?

Hon. Mr. Wells: That along with other things, Mr. Chairman, is under consideration. We haven't any changes to announce in that particular regard at this present time, but they are all under consideration.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, has the minister worked out any further plans about future across-the-board increases, as opposed to percentage increases, should there be future raises?

Hon. Mr. Wells: That also is still under consideration, Mr. Chairman. I recall our discussion in the estimates about that and there is a committee meeting about that particular matter.

Vote 2701 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Education.

SUPPLEMENTARY ESTIMATES, MINISTRY OF HEALTH

Mr. Chairman: Vote 2801. The hon. member for Ottawa East.

On vote 2801:

Mr. A. J. Roy (Ottawa East): Mr. Chairman, the first question I would like to ask the minister is a question that he was asked following his last estimates. Where is his annual report? Does he not think it fair that before we consider such estimates as these that we should have his annual report and we should have—

Hon. F. S. Miller (Minister of Health): You have had it.

Mr. Roy: For this year?

Hon. Mr. Miller: You have had it, sir, for several days.

Mr. Roy: Yes, several days. It's about time.

Mr. W. Ferrier (Cochrane South): He doesn't read his mail, I guess.

Mr. Roy: Can I get a chance to read this?

Interjections by hon. members.

Mr. Roy: Well, there is nothing funny about this. You bring in an annual report two days before your estimates: Why didn't you have your annual report prior to your major estimates two months ago?

Interjections by hon. members.

Hon. Mr. Miller: Most of us knew it was here.

Mr. Roy: Well, you keep hiding it. You didn't brag about it very much. As a matter of policy why don't you bring in your annual reports prior to the major estimates, instead of waiting so late after the major estimates?

An hon. member: Even the Minister of Health shouldn't take nine months for that.

Mr. Ferrier: They might inform the opposition too much.

Mr. Roy: I don't quite understand the other increases, but this amount in vote 2801 for finance and information services; why did you need extra funds for that? Did you give wage increases there or what?

Hon. Mr. Miller: I can explain that, Mr. Chairman. The $918,000 relates entirely to the new drug benefit programme. When the original estimates for the programme were put in, it was a brand new programme and they were not estimated by the Ministry of Health. A round figure for the delivery of the drugs was put in, but not for the set-up of the service and the administration in the first year. These figures all relate to the initiation of the service of the drug benefit plan.

Mr. Roy: I take it they are just for the administration set-up of it and they're not, in fact, paying for drugs.

Hon. Mr. Miller: That is right, yes.

Mr. Roy: Who pays for that?

Hon. Mr. Miller: I believe you will find that there were figures in our previous estimates that did cover the actual costs of the drug plan, which appear to be accurate—in other words, the dispensed prescription drugs—to this point in time.

Mr. Roy: Can you explain to me then when you're setting up your budget, your estimates for the total year, how you can set up a programme whereby you estimate how much it's going to cost you for drugs and you don't estimate it all? At least, it doesn't appears to be in the estimates, according to your answers here, for the administration of the programme. That doesn't sound very logical.

Hon. Mr. Miller: I think you've got a good question. I asked the same one, as a matter of fact. New programmes that are discussed or initiated, as this one was, in the budget statement by the hon. Treasurer, the ministries are not able to as accurately assess total administration costs as they would if they had the time to plan the programme prior to budget announcement. We simply did not have the input that we would normally have had in calculating this part of the cost.

Mr. Roy: Mr. Chairman, while we're on that topic and the minister having given an explanation for this item, I think he'll agree with us that seems illogical that you would set up a drug programme and not have any estimates for the amount of the administration. Does that have anything to do with the confusion and the panic that you spread across the people who were the recipients of that programme?

I don't think any of the members here can recall receiving so many phone calls about a particular programme and the panic and the confusion and the distress that was spread—especially upon the senior citizens in this province, who were the recipients of this programme. They were going to drug stores and being told that certain drugs were not itemized on the list. So they were faced with the prospect of either paying it out of their pocket or going back to the doctor's office to get equivalent drugs. This morning, my colleague from Windsor-Walkerville told us of a situation where a particular drug was not on the programme and an individual had to pay something like $40 a month out of his very limited income.

I want to say to the minister that any benefits you might have gained by establishing this type of programme—and we felt it was necessary—you've lost by the confusion, the panic and heartbreak on the part of these individuals who had to go through all this turmoil. I'm only talking about the recipients. I had half the pharmacists in Ottawa calling me up about the programme. It took a great deal of time to explain to these individuals why they couldn't get pills the same colour as before, and other matters.

It gets to be a psychological element. There was confusion caused to the doctors as well.

I want to say to the minister that it appears clear from my discussions with the pharmacists, the doctors and the people who are the recipients of this programme, that you did not have sufficient discussions to iron out any problems envisaged. It would appear very clear, for instance, that somebody in your ministry had a certain theory of what he should do, but he did not have sufficient practical input to envisage some of these problems.

I want to say to the minister, and repeat again, that I don't think there has been another programme initiated since this government was returned to power, since 1971, that has caused so much confusion and so much panic among the recipients of a particular programme.

Any benefit that you might have had by establishing the programme was lost because of the confusion caused. I want to say to the minister that I'm not satisfied that all the matters are ironed out yet in that programme. There are still drugs where it is questionable, for instance, whether you can get an equivalent drug, or whether they are even on the list.

For political reasons, or whatever, you annnounce a programme and then nothing much is done in establishing it. All at once you're faced with a deadline and it's spread on the community—and then you sort of work by trial and error. Surely as a responsible minister and as people who are responsible within a department, you should be able to foresee some of these problems.

Hon. Mr. Miller: Mr. Chairman, I am quite aware of the problems that were faced by the pharmacists and by the public when a new programme came on stream. They were predictable. In fact, our staff said they would happen.

The validity of the drug formulary is something you can argue at length. It did have a lot of practical input into it, contrary to the statements made by many of the professionals, either prescribing or dispensing prescriptions.

I have visited the drug quality and therapeutics committee at least once since this bill came out and the plan came out. I have told them I encourage the continuous updating of the formulary.

I can tell you that every person who practises is quite sure that unless he is on the board that makes the decisions the rest of the people are in an ivory tower. It is as simple as that. I can only take you to the people who we've asked to come in and give us advice. Certainly you will find academics on it, but at the same time you will find people who are familiar with the day-to-day problems of both medicine and of pharmacy.

It happens that the Ontario Medical Association, which is the group representing the physicians in Ontario, still endorses the formulary as it stands. It does admit that many of its individual members do not. One of the problems they've been trying to get across to their individual members is that perhaps they need to question the validity of prescribing some of the drugs that aren't on our plan. As I'm sure the member for Oshawa will agree, that is sometimes a pretty touchy thing, because doctors have got into the habit of prescribing certain pet drugs which tests show are not necessarily as good as they think they are.

Mr. R. Haggerty (Welland South): But it is agreeable to the patient.

Mr. Ferrier: The member for Oshawa (Mr. McIlveen) wouldn't do that.

Hon. Mr. Miller: I would like to feel that when I give away money of the Province of Ontario, it will be for drugs that are necessary.

An hon. member: It should be.

Mr. Chairman: The hon. member for Parkdale.

Hon. Mr. Miller: Just a second, I'm not through.

If I drew a curve of the problems of the plan, it would start at a very high level and would drop down quite quickly, because it has done just that with time. We felt we had at least a six month, perhaps a nine month and perhaps even a year, period of time when we needed to modify our position as experience proved out and people got used to the plan. The most traumatic thing was the change in the colour or shape of a specific pill for many a person getting it.

Mr. Roy: And combination drugs.

Hon. Mr. Miller: The second was the combination drug issue, and that still is a very valid problem on which I'm keeping an open mind. Economically and from the medical point of view, we can justify the formulary as it stands. We have the endorsation of the OMA on that.

In the one or two examples you can go to in which drugs contain three or more ingredients, the economics break down.

But most certainly when you go to the more common items, those for high blood pressure for example, that do combine things like diuretics and compounds like methyldopa, they seldom contain the right balance of drugs for a specific patient. I'm told this, and I hope I can get somebody to nod their head up and down.

Mr. Haggerty: You twisted your neck the last time.

Hon. Mr. Miller: You may nod your head that way, but I wouldn't look backwards for support.

Interjection by an hon. member.

Hon. Mr. Miller: Generally, there is some titrating or some balancing of the needs. I know because I'm undergoing that very process right now were they are trying to adjust me to a change in hydrochlorothiazide—would that be right sir?—and methyldopa.

Mr. Roy: Is that what's wrong?

Hon. Mr. Miller: I'm taking those materials as components and they have to be balanced until my particular case works. To assume that a drug company that prepackages a fixed combination in a pill of a given size has the right combination is not good medicine.

Mr. Ferrier: The company has been ripping the patients off for years then.

Hon. Mr. Miller: I can only tell you that when you buy those two compounds on a competitive basis, they are cheaper than if you buy them in a pre-mixed package.

Mr. S. Lewis (Scarborough West): It says something, doesn't it?

Hon. Mr. Miller: That was one of the issues that was very difficult to discuss. I've said this to the pharmacists of Ontario many times, I appreciate that they were left explaining both frontwards and backwards.

Mr. J. R. Breithaupt (Kitchener): It is hardly fair to them.

Hon. Mr. Miller: Well a good many of them objected to the philosophy of the plan, regardless of its detail. They simply didn't want government being the purchaser. And, unfortunately, that's a tough issue, but I think government had a duty to supply free drugs to the group it chose—the people in the lowest wage scale, those on family benefits, senior citizens on GAINS and GIS. If that philosophical approach hasn't been acceptable to every pharmacist, I'm sorry. But I do feel it is my duty and obligation to provide those drugs, and I do believe the patients are more satisfied now that they are getting used to the plan.

We are adding drugs. There will be a new formulary out in January and probably another one around April. I can only assure the members that I am carefully weighing the combination drug issue in particular, and that I am willing to practise convenient medicine rather than good medicine if we find old people can't cope.

Mr. Roy: I just want to say to the minister, Mr. Chairman, that I appreciate it's not easy to bring in a programme, but you've made some admissions, which as an opposition critic, I find somewhat frightening. Either you did not foresee the impact of it or the problems that were going to be caused, and that's planning with ignorance and without forethought, and you should be criticized for it. If you could predict that you were going to have that kind of problem, having in mind the recipients were by and large older people and people of this nature—and including the problems anticipated for the pharmacists and the prescribing physicians—if you were able to predict that to some degree, I'm suggesting to you again that what occurred is not a very good operation by the government. It borders on negligence that you were prepared to accept that kind of flak and cause that kind of panic across the community and say, "we are going to solve it in a matter of months" or whatever.

I really think that where your programme broke down is that you did not have sufficient consultation with the pharmacists; that they didn't have sufficient prior notice of this. I don't have all the figures here, but there was a meeting with the Ontario Pharmacists' Association—the dispensers—I think maybe a week before the programme was, in fact, established.

I had all the figures before, Mr. Chairman, but I don't have them here. Anyway, there was not sufficient time given in advance notice. I would suggest to you that you could have cushioned this blow somewhat by educating the public on what your plans would have been by giving them some sort of advance notice so that people would say, "look madam, your pills might have changed colour but we are giving you equivalent drugs."

You've got to consider people of that age—and in fact all people, not only the senior

people. It gets to be psychological, this thing, taking a red pill instead of the green one, and taking the combination drugs and so on. I tell you, the people who were calling were not people who were calling for nothing. I felt they were sincere people who were extremely concerned. We've had example after example cited here about people who were really disturbed. It caused panic in their lives. I say to you there is no excuse for that. If you could predict it, that is no excuse. And if you could not, well, that's not very good administration on the part of your ministry.

Hon. Mr. Miller: Obviously, the member is using very ideal words. If he feels he could get the story to an individual recipient of a drug before such time as he or she comes in for that drug, then I would like to know how he would do it.

Mr. Roy: Well, you have some idea who the people are.

Hon. Mr. Miller: Frankly, you can put advertisements in newspapers from now until the end of time, you can put newspaper articles in and you can discuss them, but until such time as the person—

Mr. Roy: When it suits your purpose, you put advertisements in.

Hon. Mr. Miller: We did send all the stuff out to the dentists and the druggists, and we did send it to the doctors; and it turned out that, like many other people, they didn't read a damned thing until they were faced with the project.

Mr. Ferrier: You were spending a lot of money for nothing in a lot of this advertising.

Mr. Chairman: The hon. member for Parkdale.

Mr. J. Dukszta (Parkdale): Through you, Mr. Chairman, just to make a point on the thing that was just being discussed: One way of solving this problem, of course, is if you have universal coverage of all the drugs for everyone—or at least starting at the age of 60, according to your programme—then you probably wouldn't run into this type of problem.

I have only about three comments and a couple of questions, but I wonder if you can tell me what percentage of the money we have to vote here for the operation of hospitals and related facilities is actually going to the hospital workers.

An hon. member: That's another vote.

Mr. Dukszta: Sorry. Can I rephrase the question by saying what would be the approximate percentage of the total supplementary estimate?

Hon. Mr. Miller: Mr. Chairman, if you look at the total of $213 million that I am asking for today, there is $195 million for the operation of hospitals and related facilities, and almost all of that, say 90 per cent of that total, will be for salaries.

Mr. Dukszta: Well, there was a reason I was asking. I have spent some time, and so has this party, in supporting and urging you to do it; and it would be completely inconsistent for us now to question that part of the total, so, obviously we support it. But that does not stop me from making a couple of other comments on completely related fields.

One of the comments I want to make, which I think has some relevance to our overall rising costs, is related to your annual report. On page 15, in the first column, there is a series of figures indicating the percentage of OHIP claims as related to percentage of population. Let me just pick out two salient areas.

In Toronto, where the percentage of claims is 40.3, the percentage of population is 27.5. By way of contrast, in Sudbury the percentage of claims is 5.5, while the percentage of population is 7.5. There is a completely different relationship. I assume it doesn't mean the people in Sudbury are much healthier. All it really means is that more physicians and more elaborate services are present in Toronto than there are in Sudbury. So your own figures point out how distorted is the availability and accessibility of medical resources when comparing a large urban centre like Toronto with Sudbury.

If you have any other explanations for why it should be so, maybe you could offer them. Then I will have one more question.

Hon. Mr. Miller: No, I think you have the right interpretation. I don't know that I have solid statistics to back this up, but the other day I was looking at an internal study made for me which compared some of the costs of health service per capita in the north and in the south and admissions to hospitals in the north and admissions to hospitals in the south. Two fairly similar towns, Sault Ste. Marie and Oshawa, were compared, and it was interesting to note that we were spending twice as much per patient in the north as we were in the south.

Mr. Dukszta: That is understandable in areas like Thunder Bay and in the real north, but not in Sudbury, which is a town. It's still significantly less in terms of the percentage of claims and the percentage population. If you are concerned about cutting the services of the physicians according to the proportions that you have been drawing —so many doctors for so many patients— obviously you have to start with Toronto and only then move to Sudbury which, according to this thing, is grossly undermanned in terms of physician power. Well I think my point is made.

On the other thing, I want to refer back to something you have been dealing with during the last two days, which is the cut in funds to the general hospitals, and specifically the cuts—

Mr. Chairman: Perhaps we could leave the hospitals until vote 2803.

Mr. Dukszta: It is a fairly general point, Mr. Chairman. I am talking generally in respect of hospitals, because I think it involves general cuts that have been extended now throughout the whole field, really. I thought it fitted better to the general remarks like this.

Hon. Mr. Miller: In our last estimates debates, we did roam across them. I really don't mind which way you do them, but we apparently started out doing them item by item. It might be easier if we stuck to an item-by-item basis with this limited number this time and therefore have this discussed at the appropriate vote.

Mr. Dukszta: I was going to limit myself. I was going to keep my remarks all together.

Hon. Mr. Miller: That is great, then. I will be glad to accept it.

Mr. Dukszta: If I can get in my last remark, then that will be the end of me, so to speak, Mr. Chairman.

Hon. Mr. Miller: If I could count on that, I would let you keep on speaking.

Mr. Dukszta: You can count on that, yes.

You have suggested cuts and in fact are implementing in the general hospitals a two per cent cut. I know that recently you have seen a deputation from social workers from Toronto General Hospital who have been concerned that their department especially has been hit. Instead of the two per cent cut going across the board and hitting all the departments and the whole function of the hospitals, only one department has been hit.

Mr. Chairman: With all due respect to the member for Parkdale, this is the first item on the very last vote that we are discussing—

Mr. Dukszta: I thought we agreed that I could get this in.

Mr. Chairman: You can leave that. We are not going to be that long on items. Just hang around for a while.

Mr. Dukszta: Okay, I will leave it.

Mr. Chairman: The member for St. George.

Mrs. Campbell: Mr. Chairman, I would like to just carry on for a moment on the drug programme which has been the subject of lead-offs in GAINS. The one concern that I have may not be really related to either good medical practice or any other good practice, but I would like once more to draw your attention to the people who are in their late 70s and 80s who have had a composite drug over a period of time and then find themselves with a series of pills. I still have the ongoing concern that I stressed before that they often do not remember what pills they have taken, or they may take more of one than another, and I wonder if the minister has taken that into consideration.

I am not prepared to condemn this programme. I welcomed it when it came in. I was deeply concerned about the problems which it created but I just feel that in these cases, surely it would be better to let people at that age continue with that which they have been used to rather than running the risk that they will not be in balance, if that is the correct terminology, by using separate sets of pills. I have witnessed the situation on more than one occasion when an older person was trying to remember which pill had been taken at what time. I would ask that some allowance be made.

I have another question, Mr. Chairman, which is global in nature, and I wonder if it should come now or at the end of the estimates. May I just put the question and then if you think it is out of order you will say so.

I would like to know whether the ministry has in fact conducted any research as to the global costs of the health programme, having in mind those portions which have been transferred to welfare—to Community and Social Services—having in mind the fact that much of extended care is still funded through that ministry rather than this. The programme for the retarded has gone and

it seems to me that there should be some effort to try to assess the global health cost and not have them mixed with other ministries, which rather tends to diffuse the issue. If that question is not there now, I will leave it for later.

Mr. Chairman: I think this should come under information services, but this is the only place you could ask the question under the present vote.

Mrs. Campbell: Thank you. I would appreciate an answer.

Hon. Mr. Miller: Mr. Chairman, I recognize the first problem. On an individual basis we have waived the requirement for the specific drugs to be given and we have permitted, by special order, a prescription to be dispensed that doesn't have drugs in the formulary. I'm still quite willing to do that. But even more importantly, I am keeping aware of the very real problem you've just posed. I agreed it is the most serious problem of the breakdown. I have trouble, at my young age, keeping track of some of the ones I take.

Mr. B. Newman: You are 29-plus.

Hon. Mr. Miller: Thank you; 29-plus. So, I do appreciate the problem. I am giving that very deep consideration. I would say that sometime in February I'll have to come to a final conclusion on principle on that.

Mrs. Campbell: Feb. 14, no doubt.

Hon. Mr. Miller: My heart's in the right place.

Now, as far as global costs: yes, I've been studying not only those costs—and I can't give them out of my head—that are in my budget and paid for by government, but even more importantly the issue of what health costs are yet borne by the public that aren't included in government plans.

I can tell you that about 75 per cent of the total costs of health related programmes are paid for by government today. About 25 per cent—according to our best estimates—are paid for by the individual on a cash basis, or some other basis of his own, but not involving government; private insurance plans or something of that nature.

So that if I had a budget of $2.5 billion this year in total, you should add probably a third to that and say that the health care costs of Ontario are in the neighbourhood of $3.3 billion to $3.4 billion a year—if that gives you the global picture.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to make a few comments, especially concerning the drug programme. The minister did make mention, as did others, of the traumatic experience that an individual, especially an elderly individual, goes through when simply the colour of the pill is changed because the original pill was not in the formulary and a substitute had to be used.

But there was another traumatic experience that many of the citizens experienced. That is, when they went to the druggist to get the pill, and then all of a sudden were told that it was not on the formulary and they were going to have to pay for it. To me, there should have been some liaison or some communication with the doctor when he first prescribed the pill; stating the pill was not on the formulary and that the senior citizen would have to pay for the pill.

Hon. Mr. Miller: There was.

Mr. B. Newman: Well, maybe there was through your ministry; but it wasn't in many instances as far as the patient and the doctor were concerned in the various municipalities. That is one of the complaints that was registered to me, Mr. Minister.

Hon. Mr. Miller: May I speak to that just for a second? I feel very strongly on that point because I made a plea to the Ontario Medical Association as early as Oct. 7 or 8, when it became obvious that certain people who didn't like a state plan at all were doing their darnedest to upset people.

Now, they did have the information and they would make statements like, "I'd rather lose my patient than change my prescribing habits." I thought the people who made those statements were being irresponsible. I asked the Ontario Medical Association to advise me as to whether we were right or they were right. They assured me we were. I said, "Fine. As an association of responsible people, I would like your endorsation publicly of the principles that we're trying to come up with here."

We had sent them the information. Many of them claimed they didn't have it, then checking back they found they had. I know they're busy people and I know they often don't read the things that come in; but surely the professional had the duty to do the very things you are referring to. If we hadn't sent them that information we would certainly be open to criticism, but we did.

Mr. B. Newman: Well, Mr. Minister, what you say may be true and I may be criticizing the wrong individual. But I'm concerned about the senior citizen who went to have a prescription filled and then was told that it would cost $7.50, or some other amount.

Now, for three months prior to that, that senior citizen understood that prescription drugs were all going to be paid for. They had been getting this drug for months and paid for quite often by the local welfare office. Now, all of a sudden, they get into the pharmacist's and they find that they have to shell out. They didn't come prepared because they knew or they understood that the plan would have paid for all of the prescription drugs.

I thought that you should have phased this in. In other words, rather than, all of a sudden, starting on Sept. 1 to make the individual pay for all drugs that are not on the formulary, maybe you should have extended that over a three-month period of time. You should have stated "We will fill out the prescription this time, but we will not fill it out after Oct. 1," and with some of the other drugs maybe after Nov. 1, and then the third set of drugs after Dec. 1, so that the impact would not have been so hard and so financially heavy on many of the senior citizens.

Mr. Roy: Good point.

Mr. B. Newman: I don't think that that would have been complicated. It may have cost some money, but if we are going to look at the overall benefit of the programme to the senior citizen, we should let the senior citizen know that the drug he has been receiving now for months and maybe even years is not all of a sudden going to be cut off and is not such that he is going to have to pay for it. If you had an alcoholic and, all of a sudden, you decided you were going to rehabilitate him by cutting off his access to alcohol, that individual would probably be climbing walls for the first few days after not having access to alcohol.

I think you really should have phased in the programme rather than coming out with it as abruptly as you did.

There is another thing I think maybe you should have done. You knew that certain drugs by common name were not going to be on the formulary, such as laxatives and so forth. I think the senior citizen could have been advised that a drug was a laxative and was not going to be accepted in the formulary and he was going to have to pay for it on his own. Remember, also, Mr. Minister, that a lot of these drugs, even though they were not on the formulary, were paid for by the local welfare offices, and now, all of a sudden, they are not.

Those are the comments I wanted to make to the minister concerning the plan. I hope that when he introduces the new formulary there is some advance publicity given, so that not only the doctor knows, but also the senior citizen may know that certain drugs will not be on the formulary and, as a result, will not be accepted for payment and that the senior citizen or the disabled will have to pay for that drug himself or herself.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Chairman. It never ceases to amaze me when we are talking about things here in the south we get the member for Windsor-Walkerville talking about a problem with a specific drug or the administration of a certain programme. I have to get up and speak on this vote, not because I am faced with the same problems as the member for Windsor-Walkerville, but simply because in the north we don't have the personnel to administer the programmes we are talking about in these votes.

I want to make the minister aware that the largest centre of population in the riding of Thunder Bay, which is the largest riding in the Province of Ontario, doesn't even have a pharmacist.

Mr. Ferrier: What place is that? Manitouwadge?

Mr. Stokes: That is Manitouwadge. I have sent a letter to the minister within the last few days—I don't know whether it was brought to his attention or not—about a plea by the representative of the College of Pharmacy in the city of Thunder Bay, who appreciates what the problem is. The problem confronting the largest town in my riding, Manitouwadge, is to attract a pharmacist and to make it financially attractive enough so that he will stay around.

We have suggested that you either come up with a kind of incentive programme for pharmacists in the same way that you have come up with an incentive programme for doctors and dentists or, where that is not possible, have a mobile pharmacy where you can go around and sell drugs that are prescribed by doctors, wherever they may be located.

We actually have people who have to send by mail anywhere from 200 to 350 miles to

get a prescription filled. When somebody needs drugs in a hurry they just can't wait a week or 10 days for it to sort its way through this maze that we call our postal system.

It seems to me that every time we talk about something that represents an expenditure of funds here in this Legislature, I sit and listen to some of the detailed problems that are confronting members and their constituents here in southern Ontario. But it's a whole new ball game in many, many areas in northern Ontario where they don't even have the personnel to dispense the drugs.

Sure, if we had the personnel to dispense the drugs I suppose I'd be talking about the same things as my friend from Windsor-Walkerville does, but we don't even have a pharmacist. What's the minister going to do about it?

Hon. Mr. Miller: Have you a doctor in Manitouwadge?

Mr. Stokes: Two of them.

Hon. Mr. Miller: Are they dispensing physicians?

Mr. Stokes: Physicians?

Hon. Mr. Miller: Yes. You see, wherever we haven't got a pharmacist we made the agreement that the dispensing physician who traditionally has played this role gets paid exactly the same premium as the pharmacist would for dispensing.

Mr. Stokes: The physicians have dispensed some of them, but they're hoping that they will be able to attract a pharmacist, so they're not starting to stock all of these things in the hope of being able to attract a pharmacist. The College of Pharmacy has taken an active interest in this. But to date they haven't been able to persuade somebody to go into what is the largest centre of population in my riding.

I think you have it in your power to make it financially worthwhile for somebody to go in there and practise. You've got a level of income for dentists below which their income can't fall if they're participating in your incentive programme. You have the same thing for doctors. Since this is an integral part of the health delivery system, and of health protection and disease prevention, I think that you should consider making a similar programme available for pharmacists.

Hon. Mr. Miller: Mr. Chairman, I think it's my duty to see that drugs are available, but I don't know that it's necessarily my duty to guarantee a pharmacist specifically, if by guaranteeing the payment to physicians I can accomplish the same net objective at a lower cost. The physician does get the $2.05 that the pharmacist would get if he's in an area where a pharmacist is not currently available. We will pay him on exactly the same kind of basis, so he gets his professional fee plus the dispensing fee that he otherwise wouldn't be entitled to have if he were in an area where a pharmacist existed.

We are working with other colleges—optometry and pharmacy. In fact, I helped at least one town obtain a pharmacist not too long ago on that kind of a basis. I'm quite willing to try specifically on your behalf. I'll give no promise except consideration to the incentive system, because the pharmacist has more ways of making money than his straight profession, as a dispenser of drugs. I think I have to bear in mind the commercial aspects of his business as well as the professional aspects when I get into that kind of an agreement.

I want to say one thing, though, to all of you who have complained about the plan. We talk about these problems that existed as if they were the great bulk of the things. They are not. They're the small minority. Think back to when you had the problems with OHIP when it came in. I can only tell you that the great bulk of the people are getting $20 million worth of free drugs that six months ago they did not get.

Surely that is a major step forward. Surely that deserves some commendation, and thank goodness from time to time we actually get some.

Mr. Chairman: The member for Kent.

Mr. J. P. Spence (Kent): Mr. Chairman, I would like to ask a question in regard to the supply of drugs to the patient. Is it true the ministry will pay only for a month's supply of drugs for a patient? Of course, we have some complaints where we have those who are on a disability pension, unable to drive and with no motor transportation, and we have those who tell us they have to drive 25 miles in order to get a certain drug. It would be less costly if this ministry could give consideration to allowing some to buy two months' supply, which would cut down the cost of getting these drugs.

The minister might answer another question, while I'm on my feet, in regard to the fee to the doctors who prescribe the drugs or medicine to the patients. It has been brought to my attention it is according to the distance from the first pharmacist that the doc-

tor is paid. Now one doctor is paid half the fee and another doctor 10 miles away gets the full fee. People wonder what the difference is. The doctor doesn't need to drive, so why would they not all get the same fee?

Hon. Mr. Miller: I'll answer the two questions, if I may. Yes, we limit to a 30-day supply the amount that any one prescription billed under the plan can have. The average quantity of time that a prescription given by a doctor covers is 22 days, so we are covering more than the average duration of the prescription.

The reason for keeping it to a 30-day limit is that eligibility is based on a month-by-month voucher.

There is a turnover of 10 per cent per month, I'm told, in at least the FBA section of the plan. I don't know if it is the total number of the 550,000 or of just the FBA section. It is on the total, which means we have a 55,000-person turnover per month.

So there is some problem in giving people who may not be eligible prescriptions in advance. The druggist can do that, in a sense, on a his risk basis, and I know a number have. They have given basically three months' or two months' supply. I had one call me the other day, and it made me wonder just how the person became eligible for the plan, but he said, "can I give such and such a patient six months' supply of a drug so they'll have it with them while they are in Florida for the winter?"

Mr. R. F. Ruston (Essex-Kent): It is pretty tough if you have to get drugs for six months before you go to Florida.

Hon. Mr. Miller: Just how that person got to be an FBA beneficiary or a GIS beneficiary I'll never know, but there you go.

Mr. Deacon: What if they are living with their families down there?

Hon. Mr. Miller: Oh I recognize there could be circumstances, but I had to smile a bit when that was asked of me.

Mr. Stokes: They are entitled.

Mr. Deacon: It raises a question.

Hon. Mr. Miller: The other issue was the question of the amount we pay a doctor. We pay dispensing physicians $1 in a community that is either within a reasonable distance of or served by a pharmacist. We did that as a disincentive on a professional conflict-of-interest basis, because I don't think a doctor should be profiting from the sale of a prescription. Therefore I say it is his duty to decide not on the merits of how much he makes but on the need of the patient as to whether that patient should or should not be given a prescription. So we have a disincentive built in for doctors. They have to go through all the red tape for $1, and if they're willing to do it, then we assume there was a need.

Mr. Spence: Yes Mr. Chairman, but if a doctor is twice the distance away then he would get twice the fee. Is that right?

Hon. Mr. Miller: He gets the $2.05 if he is in an unserviced community. We have to make arbitrary decisions as to when a person is within a reasonable distance and when he is not. I know there will always be some conflict, but strangely enough there is very little.

Mr. Stokes: Two final questions. You didn't respond to my notion that perhaps we might solve the pharmacist problem by a mobile pharmacy.

Interjection by an hon. member.

Mr. Stokes: Well, hopefully it is mobile all the time.

Mr. Roy: It's only 300 miles away, but at least it's mobile.

Mr. Stokes: Yes, at least it is something that is mobile and able to travel.

Another question arose in my mind as a result of your last remark. What would you do in the case of a doctor who continues to dispense drugs even though there is a pharmacist in the community?

Mr. Roy: Cut him off.

Hon. Mr. Miller: Under the definition of the practice of medicine, the physician is permitted to dispense.

Mr. Stokes: In the absence of a pharmacist?

Hon. Mr. Miller: Any time! It is part of the things that doctors have traditionally done over the years. The issue isn't whether he comes to your house at 12 o'clock at night and says, "here are two pills," or "here are 50 pills." There have been doctors—particularly among the older ones—who grew up in the tradition of running their own dispensary and looking after almost all the drug needs of their patients. These people have traditionally made a profit out of it over the years.

Mr. Stokes: I know one who even set up a dummy company for income tax purposes.

Hon. Mr. Miller: We simply say that we feel there are inherent conflicts of interest in encouraging the dispensing of drugs by the same person who prescribes them.

So, we are putting this disincentive in. We are making them keep all the records, use the proper safety containers, and everything else; but they just get what we estimate to be the very bare cost of having performed that service, which is $1.

Mr. Chairman: Shall vote 2801 carry?

Vote 2801 agreed to.

On vote 2802:

Mr. Roy: May I just make one comment on this vote, Mr. Chairman, to the minister? When we are talking about the question of disease prevention and health protection I find somewhat ironic the contradictions that exist between one department and various other departments—and I intend to go into it in more depth when we discuss, under vote 2803, the question of curbs and ways that we could save money in our health care programme in this province.

For instance, I said to the minister some time ago that one of the ways of saving money is in the area of health protection and disease prevention; in other words people keeping fit, people avoiding accidents, people doing a variety of things. Now, I've not seen your ministry—and I'm repeating what I said in the original estimates—take any sort of initiative about asking people, for instance, to keep fit; or encouraging some form of programme for people across this province to keep fit. I've not seen your Premier (Mr. Davis)—

An hon. member: He stopped smoking.

Mr. Roy: —or other members of the cabinet setting any example in themselves. You see, we rely on the medical profession to tell people to keep fit.

Mr. Ferrier: He took off a whole lot of weight. He used to be pudgy, but now he is quite trim.

Mr. Roy: I'm not going to criticize the minister personally for the shape he is in, but there are other people in your cabinet. For instance, in Ottawa last week—it was sort of humorous—there was a front-page photograph of some of your ministers who were down there last Wednesday. There was a group asking for curbs on smoking in certain public areas, and there on the front page was the Minister of Government Services (Mr. Snow) with a big cigar, you could hardly see him for smoke. The Minister of Natural Resources (Mr. Bernier) had a cigar as well; the Treasurer had a cigarette going and the Solicitor General (Mr. Kerr) had a pipe going. And the brief was to these people, about limiting smoking in certain areas.

What I'm talking about basically is a programme to encourage people to keep fit and the example set by your leader and your ministers to citizens across the province on how to keep fit. That is the first point, Mr. Chairman, I want to make to the minister. Surely you have to set an example.

It's all very well to tell people, you know, but it's really as bad down here as what happened last week in Ottawa, where you had the Minister of Finance talking of certain curbs and saying he was going to talk to certain people about the question of restraints and things of this nature, and then came the increases to the federal members, which surprised many of us here in this House.

Mr. Deacon: Fortunately they have reconsidered.

Mr. Roy: Yes, they have reconsidered their position and I think—

Mr. Ferrier: Almost makes you wish you had got that federal nomination.

Mr. Roy: Not at all, not at all. I spoke publicly against it and about the example they were giving.

What I am saying to you is that it's all very well for you to preach and to say all sorts of things and to talk to the people, but you really haven't done very much by concrete example.

Another example I can give the minister is that I think you probably take the position that enforcing the use of seatbelts in motor vehicles is going to be one way of preventing serious injury and, of course, limiting the cost of health care. In fact, wasn't there a picture of you sitting in your motor vehicle with the seatbelt on? And yet although your Minister of Transportation and Communications (Mr. Rhodes) and your leader said this was going to be mandatory some time ago, we haven't heard anything about it since.

Are you putting pressure on that ministry to take that step? We have had a consumer report presented at the federal level very recently which said this would prevent injuries. I don't know how many millions of dollars we are spending as a direct result of motor vehicle accidents and on the victims of motor vehicle accidents.

What I am saying, Mr. Chairman, to the minister, is that basically he is all talk. He does certain things, he makes public statements for political purposes, but he is not doing very much.

Mr. Ferrier: Has the minister given up swimming?

Mr. Chairman: Is vote 2802 carried?

Vote 2802 agreed to.

On vote 2803:

Mr. Chairman: Vote 2803. The member for Parkdale.

Mr. Dukszta: Just one question. Can I return to that point I was making in the beginning, through you, Mr. Chairman, to the minister? I just wanted to bring again to your attention— as you know, we have been dealing on this matter together, rather indirecly—I have appreciated that you have taken such a personal interest and action, and were so accessible to that deputation from the Toronto General Hospital when they came to tell you about the difficulties their department will have once the cuts go in.

Now the cut which you are proposing is two per cent for the whole hospital budget, which in a way is the right policy—the hospital expenses have to be cut; a number of active beds have to be removed. But it is advisable surely, and I'll just leave you with this point, when you are making this type of a decision to move from bed care towards the ambulatory type of care in the community, that the very services which will make sure that the beds are kept empty—the social and preventive services—will not be cut by an act of an administrator who is not able, maybe, to affect the well-entrenched medical territorality in a hospital. The administrator might be unable to cut that but is quite able to cut, because of its lack of power, a department which in your own terms, I think—in terms of preventive health —is more important.

I am just going to give you an example, I think, of how it works in an emergency room. Quite often, in spite of what we say about the active beds in emergency rooms in general hospitals, people get admitted, not necessarily because of an acute medical need, but because there is nowhere else for them to go. But with a department of social work, the social worker on duty in an emergency room is a person who usually has contacts and is able maybe to arrange for a bed outside the hospital, which is invariably cheaper.

Now I can't translate this into figures obviously, but cutting out these services will put an extra pressure on the active beds nevertheless, and I would predict that if you allow this type of approach to continue, if you don't intervene in it, we will have more pressure on active beds, not less, and all your other programmes in ambulatory care will suffer.

Again, I just hope you do intervene in that situation, because I think in the long run it could become a very serious situation for all general hospitals in a city if this approach were adopted, as was adopted by the administration of the Toronto General Hospital.

Hon. Mr. Miller: Mr. Chairman, the two per cent constraint was a pretty necessary one. It was based on the initial 1974 estimate of expenses, not the final approved budget after the salary inflation took place. I think you saw that at the Toronto General, the hospital you are mentioning, it amounted to $790,000 a year. Two per cent of my budget—well each per cent today is $15 million in the hospital budget, so one doesn't dispose of a per cent lightly. It has a tremendous effect relative to many other people's operating budgets.

I arrived at that figure to some degree arbitrarily, but only after discussion, full discussion, with the Ontario Hospital Association as to what might be a possible amount for hospitals to absorb this year.

It was my hope that the two per cent could be taken out of administrative and non-medical areas of costs—or as we have said, to trim the fat out of the system a bit.

I think it is safe to say the hospitals felt the fat was all gone because they have gone through three or four years of fairly minimal budgetary increases. But after three days of negotiations, they agreed that a fixed two per cent budget reduction was acceptable to them. To give the hospitals of Ontario a great deal of credit, they have all submitted their 1975 budgets already. They all submitted them on time, that is Dec. 2, 1974.

In the main they lived within the constraints. Not all of them did. Those that didn't are going to be advised of that. We feel they have been co-operative.

Mr. Stokes: Including those in Thunder Bay.

Hon. Mr. Miller: Now at that point in time a hospital board is charged with the responsibility for administering its own oper-

ation. I find it very difficult for me to start ordering them to take the money out of one part or another part.

The commitment I made to your group the other day was not to interfere in the management of any hospital, but to make them aware that I had heard the delegation. I think you know that was my commitment. That part I will live by. In fact, I understand that we are available to see the delegation—either my parliamentary assistant or I, and it will probably be he who sees them rather than I—but we are available to discuss any other details they have. I recommend to them, as I would recommend to any other group that thinks the hospital made an unfair decision, that their normal recourse is through the management; that they deal with within their hospital, not through the Ministry of Health imposing an order on the hospital. That is how boards are constituted. I think it's dangerous for me to assume that I have the right to interfere in their internal processes.

Mr. Stokes: Those decisions are made on your budgetary restraints. They have a right to object.

Mr. Chairman: The member for Ottawa East.

Mr. Roy: Yes, Mr. Chairman. The item that we are about to vote on, of course, is the major one in the supplementary estimates. It is an amount of $198 million. It is just staggering that we are just going to take a few minutes for this. I suppose it's like the few minutes we took for the $2.3 billion budget that we discussed a few months ago.

This has to be said, Mr. Chairman, to the minister, that it's high time we got a bit of action out of him. The gestation period normally takes nine months. You have had 10 months. You are a bit late. Maybe there is something that's going to happen.

Mr. Chairman, we used to deride the minister's predecessor, the hon. member for Quinte (Mr. Potter) when he came in with his famous supplementary estimates of $50 million. You really make him look like a rank amateur. My God, you are coming in with four times the amount, and all the while we have had a succession of health ministers who have talked about constraints. How often did we hear that from your predecessor—constraints?

Mr. Stokes: That is to pay for hospital workers.

Hon. Mr. Miller: On a point here; you are then, of course saying we are wrong in giving any salary increases to the hospital employees of Toronto this year?

Mr. Roy: No, we derided you for having kept the hospital workers in a closed shop and a strait-jacket. You had forced them into a situation where they couldn't strike, and yet you would put ceilings on them. It bordered on negligence what you were doing to these people.

But that is not the situation. What we are talking about is cutting out the fat in other areas. We are saying to you that if you had reorganized your ministry it would cut fat; I think it's cynical of you to suggest that we were against wage increases for the hospital workers, the nurses, the technicians and so on, especially when one considers the gap between them and other health professionals, such as the doctors. The gap has increased between the doctors and the people at the bottom end of the scale. There was no fuss when you gave the doctors an increase.

Mr. Chairman, we're talking here to a minister who is the successor to a line of ministers who have been talking about constraints. But have we seen any constraints? The minister was the first to admit that he was not controlling his Health budget. He was crying to the public all fall about the need to bring in constraints, but I can recall his predecessor saying in this House on a regular basis that he had a constraint package somewhere.

Mr. Chairman, we on this side of the House must say to the minister that it's time for some action. You know, the minister mentioned the hospitals; and while we appreciate that these supplementary estimates are mainly for the wage increases, I say to him that he should have forseen that that was inevitable. How long did he think he was going to keep the hospital workers at the rate they couldn't live on? How long did he think he was going to have them respect the law which did not allow them to strike? And how long did he think they were prepared to accept the ceilings that he had imposed on them? The minister placed them in an impossible situation.

The minister's excuse is that he had to give these people an increase. What we're saying to him is that this was inevitable and, in the light of that, he should have been looking at other areas. I don't mean just this minister; this should have been done over a period of years. But he should have brought in some

of the constraints that his predecessors had talked about.

I can recall that the minister's predecessor, the member for Quinte, instructed hospitals to close beds and cut services. What has happened to that? What about the alternative health care facilities? Apparently, by your own admission, that hasn't worked. In the opening of your estimates we discussed the fact that apparently there has been no reflection in the system of the alternative health care facilities that were established and that cost something like $100 million. And what about your predecessor's famous constraint package? We've never seen that.

Mr. Chairman, we say to the minister that it's all very well for him to go around and talk about difficulties in the Health ministry and how, if it keeps going at this rate, it's going to bankrupt the province and so on. But we waited for some sort of action from not only the minister's predecessor but also from the hon. Bert Lawrence, who talked about the same thing. We have waited, but we still haven't seen anyone take a hard decision. To do so requires some political courage, Mr. Chairman; there's no question about that. I've discussed that with the minister before.

And that is what is so cynical about it. Nothing is going to be done until the next provincial election. The word is out: You're not going to take any steps that will muddy the waters or fluster an area of the community. You've been doing a good job since 1971 of flustering and annoying many areas of this province. Of course, for political reasons, you're not going to accept your responsibility. You're not going to show, I suggest, any political courage in doing so.

I want to direct the minister's attention to an article that appeared in the Toronto Star on Dec. 9, 1974. It is an article by one Robin Bagley, who is the chairman of the department of behavioural science, faculty of medicine, University of Toronto. In it he talks about the need for a co-ordinated health care plan for a just society.

He looks at health care in relation to escalating costs, and in terms of having no curbs and no one apparently having any controls on them. He states—and I quote:

> At no time have specific aims about levels of health, or ways to achieve these, been publicly stated by any government in Canada.

When the minister talks about the people at the bottom end of the scale and whether we would have objected to an increase in salary in view of the increase in the budget and the supplementary estimates, I think, Mr. Chairman, it is significant that in the proportional wage increases by certain health professionals, the gap that has been created over a number of years, instead of being reduced in fact has increased. Looking at this, it says:

> The income gap between well and poorly paid health workers has not held constant but has widened. In 1962 the gap between doctors' average net income and staff nurses was about $12,000; by 1969, it had risen to $24,000. The gap in 1962 between doctors and nursing auxiliaries was $13,143; seven years later it was $26,613. Even with the higher wage settlements and inflation, the disparity has risen by some 100 per cent.

That is what we have been talking about. Every time you are prepared or you make some sort of noise—and the noises have been coming two ministers ago, two predecessors ago—and you say that you are going to take some hard decisions, that you are going to take some steps to curb health costs, some of the more wealthy and some of the major professionals in this province have made you back down; and this is famous. For instance, the medical profession said to you: "You are not going to tell us where we are going to practice, who we are going to see, and how we are going to get paid."

I have discussed this with the minister a number of times, Mr. Chairman, and as much respect as I have for him on a personal basis, I am starting to wonder whether the member for High Park (Mr. Shulman) wasn't right when he asked for your resignation two weeks after you had the job. I thought he was exaggerating a little bit but I am starting to wonder. You are a very personable individual, but surely you are going to have to take some action pretty soon, because you are not going to do it just by talking. I suppose you are going to get a lot of flak from members in your own party, but surely the health of this province is more important than any political expediency.

Mr. Chairman, on this point the article goes on to say why there have been no curbs imposed. I would encourage the minister to read this. One of the points suggested by the author here is to state what is proposed, say, in the Mustard report—the co-ordination of health professionals working together. For instance, there is the question of the hospital setting as a health centre rather than just as some place where you

put people who are very sick, you put them in bed there. Again you failed on that.

For instance, your predecessor Lawrence had suggested that health centres might be a good idea. Your second predecessor, Potter, came along and torpedoed many of the projects that were under way. Now you seem to be encouraging it again. Mustard, of course, in his report, is encouraging this type of practice.

This is why you have had inconsistent policies throughout. Just look at the policy, for instance, in relation to denturists, if you want to see flip-flopping back and forth.

Mr. Chairman, the author of this article goes on to say:

> A recent study by the US Navy shows that there is a proliferation of health jobs with extensive duplication of work functions. With no lowering of quality of patient care, 50 work categories were reduced to 16. Based on a nine-year in-depth study of the work of a group of doctors, Dr. Wolfe and I found that the average family doctor, if his way of work was reorganized, could carry a list of 4,000 patients. This step would require the transfer of some 40 to 50 per cent of the work he now does to colleagues with shorter training who would work in a team arrangement with him.

These are all some of the matters that I mentioned in the original estimate. Mr. Chairman, the author goes on to say:

> Considerable political courage will be required to introduce new measures.

It is sad to say that here we are going along, having thought things were bad under his predecessor Potter when we saw a $50 million estimate, and now we are looking at something just in the area of hospitals of $198 million, and we are going to spend a few minutes on it. But I think these things have to be said, and it is sad to say that I hope we don't reach the point some time where our health delivery programme in this province is really seriously jeopardized because a succession of ministers hasn't had the guts to do something rather than give us only talk.

Mr. Chairman: The member for St. George. No—excuse me—the member for Cochrane South.

Mr. Ferrier: Mr. Chairman, I would like to say that my understanding is that the majority of this vote is for increased wages to hospital workers, and I must say that I'm very happy to be in a position to vote on an item like this, because this has been the year when there has been some significant catchup in the wages paid to our hospital workers. Perhaps it's far from being ideal but the catchup has gone on in hospitals across the province. For that reason I'm happy to see that they're getting it and I don't object in any way to the voting of money that is going to go to them.

There is a question or two that I might ask. The former Minister of Health had intimated that there were certain members of the medical profession who perhaps could be put on to a salary basis rather than a fee for service—such as radiologists and pathologists. I wonder if the minister might say if there is any movement in that direction, if they have come to any conclusion as to what category or position they might decide to put on a salary basis rather than the fee for service—which can be extremely lucrative at the same time they are using our hospital facilities, which are being provided for them by the public purse?

Another thing concerns extended care and it's a little bit of a parochial thing. Do you know if there is any more action or feedback to you from the group in my riding as to chronic care facilities in Timmins? With that, I won't prolong the debate.

Hon. Mr. Miller: Mr. Chairman, salary contracts rather than a fee for service are sometimes made with two groups, at least in hospitals, and those are most often the pathologists and the radiologists, if that type of agreement is entered into. I suspect if you look at the average monthly income of those two groups you'll find they head the scale every month.

One reason they head it, of course, is the very large technical component in both of their fees, because they sometimes use other people and equipment to perform the procedures for which they're paid.

Mr. Stokes: Yes, and each finger is a procedure.

Hon. Mr. Miller: We do have, for general practitioners, or group practices, the health services organizations which do have as their base a salary or a capitation form of payment rather than a fee for service. These are not being encouraged but they're being discussed with groups that show interest in them across the province. I say "not encouraged" because any statistical data to date has, sadly enough, shown that there are not any savings at all in these mechanisms—in fact, that cost of health care delivery goes up, in many cases, under these forms of payment.

I can't answer any specific question on the chronic care for the Timmins area. I can only say I'll look into it for you and try to get you an answer.

Mr. Ferrier: Could I just get some clarification on what you said? You mentioned this capitation procedure that you had with some physicians. Are you referring to the community health clinic in Sault Ste. Marie or St. Catharines? Are you saying that there's no saving in that kind of an operation, in that kind of a way of treating patients?

I understand, and I haven't seen reports for a couple of years, but at one point it seemed extremely significant that the health care costs were considerably lower in terms of lesser use of hospital beds and prevention that was taking place by this kind of delivery of health care. I'm intrigued by what you say. Do you mean that you are getting studies that don't indicate a saving from that kind of practice?

Hon. Mr. Miller: Yes.

Mr. Lewis: What, community practice?

Mr. Ferrier: Are you in a position to table any reports or give us some details?

Hon. Mr. Miller: Not yet, because they are very elusive.

Mr. Ferrier: I hope you will be in a position before too long to substantiate that with statistical studies, because it goes against what we've been told and been led to believe up until this point.

Hon. Mr. Miller: We are trying very hard to get the statistical base that you are talking about to tell us which is the better way. I can only say that I, like many others—

Mr. Stokes: You arrive at a conclusion and then get a statistical base to justify your actions.

Hon. Mr. Miller: No, as a matter of fact, I had exactly the same impressions that the member for Cochrane South just expressed, that there were probably very great savings available through these mechanisms but, unfortunately, it would appear that there are not. We will be as sorry to see that as I'm sure you would be, because it has been one of the pet academic theories that this was the way to go about health delivery.

Mr. Ferrier: I understand there has been a study done of the St. Catharines community clinic which has just come out recently. Have you seen that study? I would like to get a commitment from you to table or make available some of the background material on which you are basing these statements. I'd like to see the St. Catharines study if it is available, and to get much more detail and particulars, because I must admit I'm pretty sceptical of just what you said. I'm always open to being convinced but I'd like to see the facts to convince me.

Hon. Mr. Miller: I can assure you that I haven't got a pre-determined point of view in this. I am very anxious to see accurate, hard figures that show me one of several things and that we get better health care for the dollars we spend. I'm told that the preliminary studies are as I say and that I'm right. Once in a while the minister, off the cuff, is right.

It will be during 1975 that we have the final studies on them. I saw preliminary figures the other day that we discussed with the people involved. Because they were preliminary, we frankly felt that it wasn't wise to release them—not because they would embarrass us, far from it; there is nothing to embarrass us in them at all—but simply because they can perhaps cause some problems to the clinics that are involved in the experiments and we just don't want to disturb the set of circumstances until we finish the study.

I think I mentioned in my last estimates debate that we were trying for the first time to make a pretty good, controlled study of the total cost of health for the patients involved in these clinics, and not just the services delivered at the clinic, which are pretty easy to tie down. You can take the total cost, divide it by the total number of patients and you've got the cost.

There are other factors. How many tests are ordered? How many admissions to hospital occur? How do these compare to the other forms of practice and so on? Those kinds of data are coming to me. They were, unfortunately, a long way from good on the first basis. The hardest thing of all is quality. We can argue forever about whether the quality of care is better or not, but if we are putting more people in hospital under one form than we are in another form, I start to question whether the overall quality is better.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: Mr. Chairman, I'd like to say in the first instance there is no question that the Liberal Party was very pleased to see that the hospital workers did receive the

additional wages to which they had long been entitled. However, one of the things that the minister said today leaves me in some distress – that is, his attitude to hospital boards. I know that I will probably run afoul of my colleague from York Centre, but philosophically we are not apart.

In a smaller area it is possible to have hospital boards which are related closely to the community and which take responsibility in looking at the hospital and at the type of delivery of health service that a community wants. My concern is with the large hospitals in the city of Toronto.

I have served on two of those boards and, actually, to say that they are accountable is really not that accurate. They are run as I presume a board of directors runs a banking institution. It is very difficult for many to really have any input into the overview of that hospital or its concerns.

I certainly don't want to denigrate those who have served. They have been citizens who were concerned. Usually they have contributed personally of their fortune to the hospitals. But I think in this day and age we have to stop looking at the hospitals as they were when they began, and look at them as they are today, in receipt of tremendous sums of money.

There is really no public accountability of a board. It is true they have to get their budgets through you, but surely it is important that there be some form of public accountability when they are handling the kinds of funds that are available. At the least there should be ongoing consultation between you and the ministry, so that you can be assured the hospital is not only cutting out fat but also cutting into any inefficiencies that may exist.

The concept of hospitals hasn't really changed all that much over the long years. It has become more sophisticated, but in the initial stages it was really a case where a hospital was developed for those who were wealthy; in the case of the poor it was as a charitable act. This can no longer, of course, be the philosophy in this century. I can't help but feel there is much too much stress put by the minister on the autonomy of hospital boards which don't reflect the total needs of the community.

I asked the minister if he were reviewing admission policies from hospital to hospital in Toronto. He did not seem to understand what an admission policy was at that point. I would hope by now he may have had an opportunity to discuss this situation with his staff so that we could be assured that all people are entitled to the same respect and to the same programme, since the public has so much input into the hospital costs.

I would like to give a for-instance. It is one of the things which has disturbed me, and I have taken it up with the hospital involved. This of course is not so much admissions, but it goes to the way in which a patient receives treatment.

It happened that a former nurse broke her leg on a Sunday in Toronto. She found out that she had made a very serious mistake when she went to the first hospital, which was the closest, in order to have the leg put into a cast. She was told to come back on Thursday, because they didn't have people there to look after that on Sunday. And she wound up going to Hamilton to have a leg placed in a cast.

It seems to me that we shouldn't be in that position with the revenues that are flowing into the hospital coffers today. I can't believe, but I would like to be reassured, that no hospital is prepared to use the patients who enter for student purposes without the consent of the patient; and that that consent is sought regardless of the financial ability of a person. I would hope that the minister would at least look into that situation.

In the matter of extended care the minister is very much aware of my concerns. I don't think there is very much that I can say except that if hospitals are forced to cut back on their social services, I would like to know what programme they have to ensure that in a major hospital, such as Toronto General, the patient is not lost in the shuffle in getting into the extended care programme.

I would like to understand, too, what happens in the case of a nursing home where a patient is put on extended care. I wonder what kind of overview there is from the ministry in view of the per diem rates that are paid to first ensure that the patient is in fact placed on extended care and, secondly, that his ministry is not duplicating to a nursing home the moneys paid by the patient to the nursing home.

I have drawn to the attention of this ministry one case in point. The person in the ministry to whom I was speaking was rather startled to find that a person placed on extended care through ministry funding was still, in fact, required by the nursing home to pay something in the neighbourhood of $526 a month because there had been no real overview by the ministry.

I would hope that that kind of situation doesn't happen too often. I think we have to at least hope that the moneys are used for the purposes for which they are intended, and that we are not in a position in where we are allowing duplication and waste to take place.

Finally, on the matter of psychiatric services, I have two comments. Both are matters that concern me deeply. One is the policy of trying to bring certain patients into a community without adequate consideration of the effect on the family which is required to take them back into the home.

I would cite a case in point, one which was known to someone who was a consultant in your ministry, Dr. Appleton. I don't know whether he still has a capacity there. But this is the case of a woman who is apparently deeply disturbed. There seem to be various diagnoses of her condition, all of which imply, at least to my mind, that there is a good deal of mental difficulty but, because of the policies of this ministry she is not accepted in a hospital. She has been in the home with her mother, who is in her late 80s, and another daughter, who is herself under tremendous pressure as a result of this.

In discussing this matter with a doctor on staff of one of our hospitals, he felt and stated that this kind of policy was one which you wished to put into effect and then tried to get doctors to concur in and that, in fact, it was not very different from the Hitler twilight sleep that we have known in the past. Certainly, what it does to a family is horrendous.

I hear another criticism and I regret that I have not been able to get to do enough of a study in depth to know whether the allegations are correct or not. In increasing numbers I am hearing that in least one of our Ontario hospitals the decision as to whether or not a patient will be admitted seems to devolve more and more, not on the psychiatric staff but on the social works staff. I would like an explanation of that. Also, it seems to float as to whether or not treatment will be available.

Those are my comments, Mr. Chairman, as briefly as I could make them on this section.

Hon. Mr. Miller: Mr. Chairman, the admissions policy the member talked about is under review. I asked both the Ontario Hospital Association and the College of Physicians and Surgeons to look into practices of admission. People entering teaching hospitals, in the main, are expected to be available for clinical study. Without this kind of basis for teaching of medicine, we wouldn't have any medical students. I understand that it is always the right of a patient to refuse to be used for study. That is an inalienable right, and the patient only needs to be aware of that if there is any question as to that right.

On extended care, of course, from time to time, we catch the odd home or the odd person who has charged us and charged the patient too. I have known of at least one licence to be revoked on this basis. I understand action has been taken within the last very few days on another possibly similar case. I can only tell you that in general we are made aware of these very quickly, because families somehow are aware that charges are being made against their parent's estate in excess of the amount they predict. We originally set the amount that they can pay for semi-private or private care, as you know. If it exceeds that amount, any person has the right to ask us for an audit, which we will gladly do.

Psychiatric policies of return to the community are one of the most difficult areas we have. You may recall the recent case where a person on a loosened warrant committed murder. I can assure the House—and I haven't made this statement in the House before—that no person will now be released on a loosened warrant to the community without the police being aware, without specific instruction being given to the hospital to which that person is returned so that conditions must be monitored, or without contact being guaranteed between the hospital and that person while he or she is in the community. We will have a guaranteed link with those patients who are on a loosened Lieutenant Governor's warrant.

That is only a very small percentage of the people involved in psychiatric release to the community. For the others, we are doing our best to have an out-patient basis.

The problem is: where do you keep a person for his benefit, in the community or in the hospital? There is still a fair amount of argument on this. I think Queen St. Mental Health Centre has been for some time running an interesting study to determine when the patient recovers the fastest—whether it is with the patient being within the hospital or in the community. It does require adequate homes, and that's the weakest of all the links, because it is exceptionally difficult anywhere to find either communities willing to have homes for groups of emotionally disturbed

people or individual homes willing to take them. I can only say that this is a community responsibility that we have to make communities aware of; that we simply can't have people kept in institutions or left without adequate care because we can't find simulated residential homes for them. It's an essential step, all the psychiatrists tell me, in the rehabilitation of mentally ill people.

I can't comment upon the admissions policy at psychiatric hospitals, except to say that the whole treatment of a patient in a psychiatric hospital today is generally done on a group basis, where you have a team of different disciplines working together and it is not automatic that the physician is the leader of that team. So, it may well be, in certain cases, that the leader of a particular team that may be involved in admissions—and I want to verify this—may not necessarily be a physician.

Mrs. Campbell: One question, if I may, Mr. Chairman, flowing from what the minister said: If, in fact, it is the policy of this government, one, to try to reduce costs—and being a Scot, I love to see that thrust—and secondly, perhaps to give more creative care to the psychiatric patient the decision is made to put that patient back into the community; if we do that in order to improve things, why then is the municipality faced with trying to accommodate to government policy, to enable the government to effect savings in costs, as well as, hopefully, the rehabilitation of the patients? Why is it left, as it is, apparently, mostly in this area, to the family itself, which is often in the poorest position to be able to cope with a person in that condition, either financially or emotionally?

Could I have an answer to that?

Hon. Mr. Miller: I don't know that the statements you've made are factual to that degree. I would say that we're trying very hard to find places where we're not throwing the onus on the family, because we recognize in many instances that the basic seat of the emotional distress lay with the family; that was the cause of the trouble. And while we're trying to simulate the family conditions in other places, this often runs into the stone wall of municipal zoning, as you know. If I face any stone wall in trying to improve a programme, that's it right now.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Chairman. I wanted to ask of the minister a few questions concerning the general hospitals and related activities. Apparently there is $195 million allocated for the operation of hospitals and related facilities. Surely some of that money would actually go to things other than salary increases?

The minister is quite aware of my approaching him back quite some time ago for the establishment of a six-bed burn unit at Metropolitan Hospital. The minister looked very favourably at the establishment of the unit. The minister knew that the firemen in the local community had a fund-raising drive and were able to raise, from my information, sufficient funds to support their portion of the establishment of the burn unit. In fact, I think to date they have $140,000 cash. But before they could set up the unit in the hospital, I understand there would be the need for either some design changes or structural changes to the hospital. Is the minister prepared to assist the hospital so that they can go right ahead with the development of the burn unit at Metropolitan Hospital?

Hon. Mr. Miller: As the member well knows, not only did I approve that programme but I visited the hospital. I saw the floors that they wanted to change. They said there were minimal structural changes required, they were buying some equipment and they would start the programme. I know of no stumbling block that we are holding in their way. I could be wrong. If I am, I would like the specifics of it either through my own staff or from you.

Mr. B. Newman: Could I suggest to the minister that he check with his staff because Mr. Charlie Leighton of the fire department in the community, did have a meeting with your officials on Monday of this week and they are a little concerned that there may be a delay in the development of this burn unit.

I don't have to go into any discussion concerning the merits of the unit, the uniqueness of the unit, what it can mean as far as the delivery of health services is concerned. That is all well known. So I would suggest to you, Mr. Minister, that you look into it and see if it can be expedited so that the unit can be established. The moneys are there as far as the firefighters are concerned. I understand there is some delay in your ministry.

I wanted to ask one other question of the minister, and that is, when a patient is transferred from a local wing of a psychiatric hospital to the Ontario Hospital, regardless of the patient's age, why is the family not notified? They claim that if the individual is over 18 years of age there is no need for notification. Maybe there is no need, but from a

compassionate point of view I think it would make good sense to have the parents of the individual notified. It did disturb two different people in my community enough to write to me concerning this. I express this to the minister to see if that type of problem can be overcome.

Hon. Mr. Miller: It seems proper that they should be notified if they are easily available, unless they have disappeared, as sometimes is the case. I would agree with you that they should be notified.

Mr. Chairman: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Thank you, Mr. Chairman. I would like to spend a little time on talking to the minister regarding our extended care programme. I know the minister has received various letters from me as a result of complaints of constituents.

Because these facilities are in private hands and because they are motivated on the profit principle, they require more policing, I suspect, than what the minister is granting them. I know the minister has received numerous letters from me regarding complaints about food service and about staffing. Certainly, once the matter is raised the minister does send in an inspector, but I would be interested in knowing about the kind of continuing and ongoing inspection in these particular nursing homes.

I am also interested in having the minister explain to me the requirements for gaining entry into these Extendicare nursing homes. I will recite one case, which I brought to the minister's attention, wherein two patients were transferred from the North Bay psychiatric unit and they ended up in the Extendicare nursing home in Sudbury. Because of shortage of staff there are no male attendants on duty on the night shift in that particular institution. There are females only, who cannot physically take care of themselves. You will recall that one of the females in attendance at night got pounded by one of these persons who had been admitted from the North Bay psychiatric unit.

I must say that you are putting people in a hazardous position when you have an institution of this size with no male attendants whatsoever to subdue an unruly person who has just been released from a psychiatric unit. I just wonder how these people were admitted to our Extendicare institutions. It is unrealistic that a person should have to go on compensation for three or four weeks because she was not strong enough to manhandle a patient. Those institutions do not have the necessary facilities for handling people who are unstable, as far as their mental capacity is concerned.

We took the minister's name in vain this afternoon when I was talking to his confrere, the Minister of Community and Social Services (Mr. Brunelle). We were talking about the Sudbury nursing home where we have retarded children who have been admitted to that particular institution from the Rideau regional psychiatric unit. We discussed the fact that this building, even though it is a new building, warm and well-lighted, is really not the proper place for retarded children who had been confined to an institution such as Rideau regional. The only defence the Minister of Community and Social Services could make was that it had met the criteria as set down by the Minister of Health. I just wonder what the criteria are then from the minister for looking after retarded children, because I think the environment they're in now in the Sudbury nursing home is really not that which is proper for retarded children.

I had the occasion within the last month or so to pay a visit to this particular institution. There was a whole floor, the fifth floor, full of retarded children who had been transferred in from Rideau regional. On duty that night on that particular floor were two young women, neither one of them a registered nurse. The only credentials they had were as registered nursing assistants. There was no registered nurse on duty in that building that night. There was only one registered nurse on the staff. She works dayshift. This whole institution then runs with the expertise that registered nursing assistants have.

By the way, this girl, who was in charge of that particular floor and who had custody of about 40 retarded children, was earning the grand sum of $2.45 an hour. This is what the profit motive in the nursing home is doing to the employees, when a young girl, barely out of school, has to accept the responsibility of 40 retarded children, some of them bigger than herself, for the grandiose sum of $2.45 an hour.

Mr. F. Laughren (Nickel Belt): Shame.

Mr. Germa: When I asked her why she didn't get a union in she intimated that the management, who happens to be a former back-bencher on the Conservative side, Mr. Gaston Demers, one of the owners—

Mr. Foulds: Who is he?

Mr. Germa: —could fire people faster than they could sign union cards and, therefore, she had to work for $2.45 an hour.

I think that's a horrendous responsibility to bring on a person to have to accept that type of responsibility and the hazardous situation she was in in the middle of the night. She admitted right then that there were no restraining devices in that particular institution to restrain some of these retarded children, if it became necessary. There were no male attendants on in that entire institution to restrain people who became unruly. Yet this situation exists in at least the two nursing homes that I am familiar with and that I have paid personal visits to in the city of Sudbury.

As for the food problem, you have a letter on your desk right now, or will have, regarding a complaint about food service and delivery of food in that particular institution.

Maybe those retarded kids can live on hot dogs but the aged citizens on the geriatric floor, the sixth floor, claim that they cannot live on the hot dogs which are being served. That or bologna seems to be the staple diet.

Mr. Laughren: I have had complaints too.

Mr. Stokes: What about that cheap ham? Is that going in there?

Mr. Germa: Yes, they get "fine ham."

Mr. Foulds: Do they get maple syrup?

Mr. Germa: I used to live in a boarding house where we had five different kinds of bologna. The first night we'd have round bologna. The next night they would cut it in half and she would call it half-moon bologna and we had fried bologna the next night. You can dress up all these things and create a different menu but, fundamentally, you're just getting schinkenwurst, as I think they call it in the trade.

Hon. Mr. Miller: That accounts for your speech.

Mr. Germa: Another problem I'd like to ask the minister about is the formation of district health councils. I don't see anything in the supplementary estimates regarding district health councils. We are waiting desperately in the city of Sudbury to bring some rationalization into the delivery of health services. I think until such time as we get an overall umbrella body controlling these particular hospitals which are vying for credibility and vying for power—we know that the emergency ward at the Memorial Hospital is on the verge of being phased out. I understand the minister is basing that decision on the fact that there are not enough people using the emergency ward. But in the Sudbury General Hospital the average waiting time to get into emergency is about three hours.

I don't know whether that is connected with another problem which I see, in that the government ambulance service in the city of Sudbury is run and controlled by the Sudbury General Hospital. Is the hospital using the ambulance service to keep their emergency ward full? I'm asking the question, not making accusations, but I think that until such time as we get a district health council and the ambulance service can be used as an independent service, not controlled by any one particular hospital, especially when I know and see the competitiveness that we have in these three particular hospitals in Sudbury—is the ambulance service being used to augment the emergency ward in the Sudbury General Hospital?

The Minister of Community and Social Services said this afternoon: "Well, you know how northern Ontario is — we don't have certain facilities for looking after people." When we were talking about retarded children, he said: "We just don't have the facilities and we have to improvise." There is an acknowledged lack of health delivery service throughout northern Ontario.

Interjection by an hon. member.

Mr. Germa: Just a moment, Mr. Minister. I'm going to read from your annual report just a couple of statistics which you placed on our desks a short while ago. It has to do with claims payments under OHIP. I see here on this chart on page 15 that the city of Toronto, which has 27.5 per cent of the Ontario population—

Hon. Mr. Miller: That has been done already.

Mr. Germa: I beg your pardon?

Mr. Chairman: That's been gone through earlier on in the estimates.

Mr. Germa: Was there an answer given to this particular question?

Mr. Chairman: Yes.

Mr. Germa: I'll read it in Hansard. But I'd like to put Sudbury's figures on the record.

Mr. Chairman: They were on the record, too.

Mr. Germa: I will check that out, but has the minister rationalized why there is such disparity in moneys being put into the system in southern Ontario vis-à-vis northern Ontario?

Mr. Foulds: That's the fundamental question.

Hon. Mr. Miller: Mr. Chairman, I did read those in. I pointed out that the cost per patient in your area is roughly twice the cost per patient in the south.

Mr. Foulds: And whose fault is that?

Mr. Germa: That's probably why we need a district health council—to get rid of some of the competitive atmosphere up there. Competition creates high costs—I'm sure you are aware of that.

Hon. Mr. Miller: Those are non-profit organizations.

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: Mr. Chairman, I want to deal very briefly with two hobby-horses which will invite no particular response from the minister—one with enormous brevity and one to take a couple of minutes on.

I want to use this vote to reiterate something which I know the minister agrees with and which I think many members of the House agree with. Whenever we talk about psychiatric services in the province, one of the most vexing problems is the need to redistribute those services from the monolithic hospitals into community-based settings and the very real resistance that exists in so many communities to differents models of mental health care.

I think that unhappily there are even some members of the minister's party—I won't stoop to name them—who are themselves opposed to community-based mental health. They don't understand the importance of moving out of the medical model and into the community, and have given encouragement to some of the most obnoxious and objectionable ratepayer groups who have the capacity to resist social change of a useful and important kind wherever it might occur.

I am still of the opinion, Mr. Chairman, and put it to the minister, that the only way we will overcome the kind of mindless prejudice that is focussed on mental illness and mental retardation for kids or for adults from some community associations, ratepayers' groups and even supposedly mature politicians, is to pass general legislation which requires municipalities to permit the establishment of these homes. The regulations can, of course include within them distances, geographic locations, zoning and so on, but that it would be impossible for any given council, any given ratepayers' group, simply because they were perverse and of a kind of anti-social spirit, to prevent the establishment of such a setting.

Now, Mr. Chairman, the other hobby-horse I want to ride is one which preoccupies many of us on this side of the House increasingly and relates to the expenditure of—what? $195 million, did you say? This is for general hospitals and related activity for the wages for hospital workers.

Mr. Chairman, I want to use the opportunity to put briefly on the record the continuing impression that the public sector bargaining, which the hospital workers dispute represented, is on us with a vengeance. The hospital workers triggered it, as it were; but we immediately moved into prolonged teacher negotiations, the transit workers, the social workers with Big Brothers—and now we are right in the midst of the civil service negotiations.

Mr. Chairman, it is a strongly held conviction of this party that when you are dealing in the public sector with public sector employees, the rules of the game have to change. One of the reasons we are in such trouble in public sector negotiations in Ontario is because we are applying the principles and the techniques of industrial sector bargaining to the public sector predicament. It's just wrong, Mr. Chairman, and it has to change.

It is interesting to note that the Ministry of Health at the most senior echelons, and the Minister of Health himself, were vastly more effective in bringing an end to the hospital workers dispute than were the conciliators and mediators of the Ministry of Labour—because they are simply not attuned to the questions of public sector bargaining.

Public sector bargaining, Mr. Chairman, is characterized by a couple of facets which simply are not true in the industrial sector.

First of all, for many people—hospital workers and civil servants being obvious examples—the ultimate strike weapon is removed in advance. When you remove a strike weapon from people, or the ultimate economic threat, you have to build into your collective bargaining apparatus much more

candour and much more flexibility. That's No. 1.

No. 2: When the public, the large public dares the consequences of a collective bargaining breakdown, then it means again that the collective bargaining process has to be much more adaptive and much more flexible than it is in an industrial sector dispute.

The industrial sector is characterized by manipulation, by wheeling and dealing, by preposterous demands on both sides, which are then gradually diminished by 11th-hour tightrope walking; by all of the things to which they have been attuned for the last 40 or 50 years. They work well in the industrial sector, but don't work at all in the public sector.

Mr. Chairman, that has to be altered. What we are seeing now with the civil service negotiations is really a reflection of that, if I may say. I hope it's not a mistake to talk about the civil service negotiations while they are taking place. As a matter of fact, they are quite germane—because the two most militant sections of the civil service are the correctional people and those in the psychiatric hospitals.

As a matter of fact, if we are talking about money for psychiatric services or in this province, even with emergency services provided by a responsible civil service association, the most unhappy consequences would be felt in the area of the psychiatric hospitals.

What is needed in these fields is a change. Surely that is what is harassing the civil service negotiations; threat and counter-threat, ultimatum and counter-ultimatum, surely that's what's harassing the civil service negotiations, negotiations in public in the Legislature. That's no way to conduct negotiations. That's the industrial formula, not the public sector formula.

May I say in passing, Mr. Chairman, that happily today the Civil Service Association reduced its demand to 29 per cent, as I understand it, which therefore allows us a margin within which an agreement can surely be reached. I'll say no more about it.

I want to add this in terms of this vote: I really believe, Mr. Chairman, that we should establish a public sector mediation group, probably responsible to the Chairman of the Management Board, or reporting through the Chairman of the Management Board, perhaps even reporting through one of the secretariats, whose job would be to intervene in advance of and during and dispute with the kind of sensitivity and flexibility which would allow us to avoid the kinds of confrontations that are apparent in the industrial sector.

We could use it in the teachers' disputes. We could surely use it now. We could use it with the civil service. We could have used it with the hospital workers. We could have used it with the social workers in the social agency in Toronto which was afflicted by a breakdown for seven weeks. I must say, Mr. Chairman, that I really think it would make a great deal of sense.

I point out to you, sir, that it's the Minister of Education who has to run down to the Royal York or wherever it is over the dinner hour to try to be an arbiter in the dispute between the Windsor board and the Windsor teachers. It was the Minister of Health who had to intervene in the hospital workers' dispute. I have no doubt it will require a ministerial intervention in the civil service.

Therefore, within the public sector bargaining—and this vote is the classic example of public sector bargaining—there must be established a work group equivalent to the conciliation and mediation group of the Ministry of Labour which will see public sector bargaining as a process of candour, of forthrightness, of directness—where you are dealing with people who don't want the manipulative, ritual, mystical process; where both sides don't start either absurdly low or absurdly high; where there is a sense of public accountability during the bargaining; where people can deal with hospital workers, teachers or others who don't understand so much of the ritual that is characteristic of Stelco and the Steelworkers or GM and the Auto Workers. They understand none of that process. They want none of that process. They respond to direct and flexible human intervention.

Now that we have got the public sector bargaining upon us, I just want to appeal to you—and I use this vote as the device—

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): That kind of bargaining without a strike too.

Mr. Lewis: Okay, I am not challenging that. I am saying that with the public sector right on us now, full flush, let us not use the old industrial sector techniques. When this fracas of the civil service is over, I will concede to you. I won't do it now; but after it's over, I'll concede to you certain position on both sides—

Hon. Mr. Winkler: We aren't far apart. We aren't far apart on our thinking.

Mr. Lewis: —that I thought were unnecessarily paralleling the industrial sector, where they have no application at all. Certainly we can never go through another tightrope act, as the minister was subjected to and the public was subjected to in the hospital workers' dispute. That should not happen again. I submit to you it wouldn't happen in the public sector if we adopted a rationale and an approach profoundly different from those that characterize collective bargaining elsewhere. I don't want to refine it further. I think there are some rather explicit refinements that can be made and some details that can be added, but I think this is the appropriate place to make the point.

Mr. Chairman: Mr. Minister, do you want to reply?

Hon. Mr. Miller: No, not at this time.

Mr. Stokes: I have just got two very brief—

Mr. Chairman: No, the member for Huron-Bruce has the floor.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I just want to raise a matter with the minister that has been raised a number of times before in the House, but I think it is worthwhile to draw it to his attention again on this occasion, particularly in view of the fact that I got a letter from one of my constituents, a medical doctor, who feels just as strongly about it as I do. I do not want to read letters into the record, Mr. Chairman, but on this occasion, with your permission, sir, I would like to do so at this time.

Mr. Chairman: We will have to find out what is in it first.

Mr. Gaunt: It is addressed to me and it says:

> As president of the Huron county medical society I wish to bring to your attention a few factors which in recent weeks have become quite disturbing to our membership inasmuch as we look upon these as being particularly dangerous and destructive to the profession as well as not being in the best interests of the public as a whole.
>
> This problem has to do with the recent tendency to close the staffs of hospitals across the province; for example, the recent North York problem with Dr. Schiller and the Scarborough hospital with a similar problem, where qualified individuals were denied privileges to practise their profession despite the presentation of acceptable qualifications. This problem is now more intensified by the recent problems manifested at Victoria Hospital in London, as well as other examples elsewhere in the province.
>
> We understand that there are specific problems that affect individual hospitals and their respective boards and medical staffs, but we feel that since hospitals in the province have become funded by public moneys the tendency should be to open the staffs, not to restrict them.
>
> The potential abuses are too restricted staffs, are protean, and give rise to the building of private and selective spheres of influence and the building of professional dynasties which we believe are not in the best interests of the public as a whole.

Then he goes on to talk about why he feels this way and why, if doctors are licensed to practise medicine, they cannot do so. Why, having been licensed in the Province of Ontario, is it then up to the medical board or staff at any given hospital to make the judgement as to whether a particular medical doctor can practise in a particular hospital? He makes the point later on in the letter that if it's a question of qualifications, then that surely has to be dealt with by the College of Physicians and Surgeons, and that those standards and qualifications will have to be raised.

It is not up to the hospitals, either the boards or the medical staff at any particular hospital, to make the judgement as to whether any particular doctor is allowed to practise. Having graduated from medical school, having successfully passed the examinations, surely that person is then qualified to practise in a hospital of his choice.

So, I say to the minister, I think this is a problem that has cropped up periodically. It seems to be increasing in momentum. I think it's happening more frequently and I think that the ministry is going to have to deal with this problem. If a lawyer, for instance, graduates, he can practise in any of the courts in Ontario, certainly in Canada.

Hon. Mr. Miller: He has to have a client first.

Mr. Germa: So does the doctor.

Mr. Gaunt: But the doctor has to, too.

Mrs. Campbell: He opens his office first.

Mr Gaunt: The doctor opens his office. Undoubtedly he will get clients. He will want to admit those clients into the hospital, and if the medical staff at the hospital says "No" then he's plumb out of luck. Frankly, I don't think it's right and I think the ministry is going to have to come to grips with it. I don't think the appeal procedure that is now operational under the Act is working and I am wondering, in the minute remaining, what the minister is going to do about it.

Hon. Mr. Miller: First of all, Mr. Chairman, I do disagree obviously.

Mr. Chairman: Before the minister answers, the member for Thunder Bay has one question he would like to ask. Maybe you could answer them both at the same time in the time remaining.

Mr. Stokes: Since I think, by unanimous agreement, we are going to pass all of those estimates at 6 o'clock, I have only one brief question I would like to ask the minister within this vote. The minister or his representatives have on their desks now a realistic submission from the McCausland Hospital board in Terrace Bay asking for immediate consideration of an application to expand their hospital, in keeping with the $200 million expansion by Kimberly-Clark in that community. Will the minister assure me and the board that a positive answer will be forthcoming as soon as possible so they will be able to get on and plan for the expansion of that much-needed and urgent facility in the town of Terrace Bay?

Mr. Chairman: Mr. Minister?

Hon. Mr. Miller: Mr. Chairman, I couldn't possibly answer the hon. member for Huron-Bruce's philosophical point in a minute. I can only tell him that the doctors themselves by no means endorse the position that was stated in the letter that you were given. But that wouldn't be my reason for accepting it. I can only tell you that if I'm going to get doctors to go to places like those we just talked about, then we can't let them all practise where they want to. That's a fundamental part of it. We're going to have to get them where we need them.

I am prepared and I am planning steps to solve the problem. Until such time as I have had the opportunity to have these pass through the normal channels—which in this case involves the federal as well as the provincial government—I really can't do any more than say I rate the problem as a very important one.

Now for the other one. To promise a positive reply would be very dangerous. I will simply be glad to review the problem and do my best to assist, relative to other priorities I face.

Vote 2803 agreed to.

Mr. Chairman: That completes the supplementary estimates of the Ministry of Health.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has some certain resolutions.

Clerk of the House: Mr. W. Hodgson from the committee of supply reports the following resolutions:

RESOLVED: That supply in the following supplementary amounts to defray the expenses of the ministries named—

Mr. Speaker: Order, please.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I think that since we have the supplementary estimates before us, and since the detail of it and the repetition will appear in the votes and proceedings, we could dispense with the actual reading of the motion.

Resolution concurred in.

(See appendix page 6739)

Clerk of the House: The third order, House in committee of the whole.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

(See page 6738)

Mr. W. Hodgson from the committee of supply reported the following resolution which was concurred in by the House:

RESOLVED: That supply in the following supplementary amounts and to defray expenses of the government ministries named, be granted to Her Majesty for the fiscal year ending March 31, 1975:

OFFICE OF THE SPEAKER

201.	Office of the Speaker programme	$ 992,000

MINISTRY OF GOVERNMENT SERVICES

702.	Provision of accommodation programme	33,600,000

MINISTRY OF HOUSING

804.	Housing development programme	103,000,000

MINISTRY OF REVENUE

904.	Guaranteed income and tax credit programme	11,656,000

MINISTRY OF AGRICULTURE AND FOOD

1702.	Agricultural production programme	10,000,000

MINISTRY OF THE ENVIRONMENT

1903.	Environmental control programme	13,791,000

MINISTRY OF NATURAL RESOURCES

2202.	Land management programme	2,100,000
2203.	Outdoor recreation programme	1,000,000

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

2302.	Maintenance programme	1,240,000
2303.	Construction programme	13,300,000

MINISTRY OF COLLEGES AND UNIVERSITIES

2502.	University support programme	3,105,000
2504.	Student affairs programme	2,128,000

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

2601.	Ministry administration programme	951,000
2602.	Income maintenance programme	17,324,000

2603.	Social and institutional services programme: capital operating and other grants	12,110,000

MINISTRY OF EDUCATION

2701.	Ministry administration programme	55,910,000

MINISTRY OF HEALTH

2801.	Ministry support services programme	918,000
2802.	Promotion and protection programme	4,328,000
2803.	Treatment and rehabilitation programme	208,378,000

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No. 161



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Thursday, December 19, 1974

Evening Session

Clerk: Roderick Lewis, QC
Speaker: Honourable Russell Daniel Rowe

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 19, 1974

The House resumed at 8 o'clock, p.m.

EDUCATION ACT

House in committee on Bill 72, the Education Act, 1974.

Mr. Chairman: Any comments, questions or amendments? If so, which section?

Mr. J. F. Foulds (Port Arthur): Section 1(1), paragraph 61. Is there anything before that?

Mr. Chairman: Is there anyone with anything before paragraph 61 of section 1(1)? The member for Port Arthur.

On section 1:

Mr. Foulds moves that the words "Roman Catholic" be deleted after the word "the" and before the word "spouse" in the second last line of the paragraph.

Mr. Foulds: Mr. Chairman, I make this motion in order that those couples, one of whom is a Roman Catholic, can send their children to the Roman Catholic separate schools and support the Roman Catholic separate schools with their taxes.

The intent of my motion is simply to deal specifically with that one situation only; that is, the situation in which the husband may not be a Roman Catholic, his wife may be a Roman Catholic and the children are brought up as Roman Catholics, and they both have mutually agreed to send their children to the Roman Catholic separate school system.

We've debated this in committee outside of the Legislature. I won't go through all those arguments that we put in standing committee but I simply think that it is a place to start. I know the minister's response will have to do with the fact that he would rather wait until the Attorney General (Mr. Welch) brings in the legislation dealing with marriage laws, but at the present time there are ways around the law and those ways don't encourage, in fact, a respect for the law. It's only those situations where both spouses agree to send their children to the Roman Catholic separate school system and where the husband is not a Catholic that I wish to remedy. I think by simply striking the words "Roman Catholic" out of the second last line, that will include the spouse as a Roman Catholic ratepayer. Thank you, Mr. Chairman.

Mr. Chairman: Are there any other speakers on this amendment? The hon. minister.

Hon. T. L. Wells (Minister of Education): Mr. Chairman, I understand the problem that the hon. member is trying to direct himself toward. I should point out, however, that there are several court decisions that have been rendered over the years that indicate that where the husband is a Protestant and the wife is a Roman Catholic there are ways that the division of taxes can be arrived at by leasing the premises, or some such manner, but they have ruled that it is not possible for the assessment to be directed to the Roman Catholic school system, in that case, if the husband is a non-Roman Catholic.

I feel that it would be unwise at this time, in an interpretation or definitions section of a bill, to attempt to establish a new precedent in law. While there may be merit—and certainly there is—in looking at this in the future, I don't feel that this is the place to change it.

I might say that this definition of "separate school supporter" was drawn up after many months of work with the very active co-operation of Father Durosiers of the Ontario Separate School Trustees Association.

Mr. A. J. Roy (Ottawa East): Mr. Chairman, if I might just speak to the amendment in response to what the minister has said, as I understand his reasoning he says that there is certain court interpretation of what is permissible under the Assessment Act. You seem to forget, Mr. Minister, that we, as legislators, have precedence over the courts. If we spell out in the definitions section exactly what it's supposed to mean then we're clearing up a court definition, because all the court does is interpret certain words that we are putting into legislation.

We should never have any fear in this House, if the amendment has merit—and we

think it has merit and, in fact, there is some admission on the part of the minister that that amendment has some merit—that a court ruling in some place should affect us at all. We're not in contempt of court or anything else. We're supposed to be supreme in this province. We make the laws and the courts interpret those laws. If we make it as clear as that, there is nothing offensive about that at all.

I really don't see that the minister's comments or his apprehension about the amendment in relation to a court decision have any validity here at all.

Mr. Foulds: If I might just say a few words further, Mr. Chairman, it is my feeling that if we redefine the term within the meaning of our Act, then that will be taken into consideration and into judgement by any court in the province. If there is, in fact, conflicting legislation, or conflicting clauses under the Assessment Act, which I doubt, then it's for the government to move in those areas to clean that up as well.

The minister has an opportunity here, in fact, to lead and to be the initiator of a modest programme for the improvement of the rights of these particular people. I see no reason why we, as legislators, shouldn't be willing to take that initiative on their behalf. That's the major reason I've put forward the amendment at this time.

I know full well that Father Durosiers has worked very closely and very assiduously with the ministry committee and consultative committee in drawing up the consolidation, but I think there are a number of Roman Catholic spokesmen throughout the province who don't always entirely agree with Father Durosiers. I say this without any—well, maybe I better not say it.

Mr. J. E. Stokes (Thunder Bay): He is not infallible.

Mr. Foulds: What I was going to say is he has not yet reached the status of infallibility of the papacy.

Hon. A. Grossman (Provincial Secretary for Resources Development): Watch it, watch it.

Mr. Foulds: In fact I know that in the Catholic press he and Father Matthews have had some differences. I know that the ordinary Catholic lay person has had some differences with him.

Mr. Stokes: Even I disagreed with him on occasion, and I am a bingo player myself.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Your future is in jeopardy.

Mr. Foulds: I think that Father Durosiers has served his constituency well. He just may have felt that this wasn't one that he could get through the minister. I'm willing to accept compromises as we all have to do in this life, but as a legislator I'm not quite willing to accept that compromise at this stage. I may be, after the vote.

Mr. Chairman: The motion by the hon. member for Port Arthur is that in section 1(1), paragraph 61, the words "Roman Catholic" be deleted after the word "the"' and before the word "spouse" in the second last line of the paragraph.

All those in favour please say "aye."

All those opposed please say "nay."

In my opinion the "nays" have it.

Mr. Foulds: We will stack it, Mr. Chairman.

Mr. Chairman: Do you wish to stack this division?

Mr. Foulds: Yes, we will stack it.

Mr. Chairman: Anything further on section 1? What's the next section on which there are any comments?

Mr. Foulds: Section 10, Mr. Chairman.

Mr. Chairman: Does anyone wish to speak before section 10?

Mr. Foulds: Just a moment, Mr. Chairman.

Hon. S. B. Handleman (Minister without Portfolio): Oh, come on. You have to be prepared.

Mr. Foulds: Section 10(7): "Subject to the approval of the Lieutenant Governor in Council, the minister may make regulations . . ."

Mr. Chairman: All right, is there anyone else who wishes to speak before section 10(7) of the bill?

Sections 2 to 9, inclusive, agreed to.

On section 10:

Mr. Chairman: The member for Port Arthur.

Mr. Foulds moves that section 10(7) be deleted

Mr. Foulds: This section is the new section in the bill which gives the minister power to establish regulations allowing school children to leave school, in effect, lowering compulsory school attendance age to 14. I feel more strongly about this clause than any other single clause in the bill. I would oppose this clause more strongly than any other single clause in the bill. A principle that should be embodied throughout this legislation and be represented in every clause is that of universal accessibility to education for all of our children of compulsory school age. That compulsory school age should be 16, in my opinion.

I know I had an exchange with the minister on this topic during the debate in principle. I had an exchange with the minister on this topic during the standing committee outside the Legislature. The minister tried to assure me about this during the debate in principle. As a matter of fact, he didn't debate it during the standing committee outside the Legislature. It was one that he slipped by me. I thought it was under school attendance and it came under the powers of the minister to establish regulations.

As a matter of fact, that is the major reason why this party decided to ask to have the bill go into committee of the whole House, so that we could debate this point and one other that follows, that I know the member for St. George (Mrs. Campbell) is aware of, about mentally and physically handicapped people. The two tie together in a sense. The thing that disturbs me is that the minister said in his exchange on Nov. 18 that the draft regulations went across the province and that the draft regulations would provide the guarantee that this continue to be an educative experience. It does not do that.

First of all, the draft regulations went to the regional directors of education, the directors of education of boards, superintendents of separate schools and principals of schools. If we are going to allow children to leave school at age 14, we must have already in place an alternative learning experience for them. We do not have that alternative learning experience in place for them. It's just not there. If we were talking about an ideal society where we genuinely had a learning society and that education in this province was a continuum, then I might be able to agree to the principle embodied in this clause. But that just is not so at the present time. The kids will suffer, the kids whose parents will write in to the committtee.

Mr. J. A. Renwick (Riverdale): Mr. Chairman.

Mr. Chairman: Please proceed.

Mr. Renwick: I wanted you to know I had arrived.

Mr. Foulds: I'll get into the draft regulations in a moment. The children who will suffer are the children from immigrant families, the children who come from the lower social and economical spectrum of our society, whether that is in Metro Toronto or in the far north. They will be the ones who will be in undue proportion seeking escape for whatever reasons from our school system.

The necessity to include this clause in this bill is a comment on the failure of our school system to cope adequately with these children and provide for them a truly learning experience.

I must differ with the minister's statement on second reading. These draft regulations did not go throughout the province. They went to education administrators. You did not send them out to the Children's Aid Societies. A large number of trustees have not had them brought to their attention by their school administrators. You did not send them out to labour organizations in this province. You did not send them out to members of Legislature. You did not send them out widely to industry. And all of these people will be concerned if this idea is to work at all.

You see, it could work if there was a tripartite partnership between the school, a social agency and business or industry. It would work if there was a guarantee that the child continued to have an educational experience, but that is not embedded either in the bill or in the draft regulations. I would like to go through the draft regulations, if I might, with you.

Mr. S. Lewis (Scarborough West): Found them, did you?

Mr. Foulds: Yes, thank you. I won't read them into the record in detail, but basically the regulations allow, and I am quoting directly now:

> A parent of a child may apply in writing to the principal of the school that the child attends or has a right to attend, to have the child excused from attendance, and the parent shall state in the application why he considers that the child should be excused. [The principal, upon that, forwards the application to the sec-

retary of the committee that has been established by the board.]

The committee shall be composed of such persons, not fewer than three, as may be appointed by a board in each year, and a quorum of a committee shall consist of a chairman who shall be a member of the board, a supervisory officer who holds or is deemed to hold a supervisory officer certificate and is employed by the board, or, where the board does not employ a supervisory officer, the appropriate provincial supervisory officer for the area in which the board has jurisdiction, and at least one other person.

Let us assume that the makeup of that proposed committee is a principal or a supervisory officer who has continually run into discipline problems with the child, for whatever reason. Let us assume the other person on the committee could be—and I am just taking this out of the hat—a science teacher who has had difficulty with that student, and let's say that the member of that committee from the board is a person who does not believe in compulsory education for children, but believes in keeping education expenditures to the bare bone and thinks that all working-class kids should be out there working anyway.

I give you an extreme example. But suppose that is the makeup of your committee. They will process an undue number of approvals and, under a further section of the regulations, they can draft a programme for that child that has no learning or educational component, because clause 3 of the regulations reads this way.

The committee shall, after interviewing the child, his parent and, where the committee considers it appropriate, any other person, determine that the child shall (a) attend school as required by subsection (1) of section 20 of the Act, [I gather the numbering will be changed to conform to the numbering in the present Act] or (b) attend school on a part-time basis in a programme prescribed by the committee, or, (c) be excused from attendance at school if he conforms to a programme prescribed by the committee.

Now, it may seem far-fetched, but that committee has every legal right to prescribe a programme of straight work. There is nothing in the regulations and nothing in the legislation that prevents that, because clause 4 reads: "Where the parent of the child concurs with the determination under clause (d) or (e) of subsection (3) "—that is, if the parent concurs the child be excused part time.

Let's take the example where the recommendation is that the child be excused from attendance of school if he conforms to a programme prescribed by the committee. It reads:

The committee shall prescribe for the child a programme involving continuing studies or other activity, or both, directed toward his needs and interests.

I submit to you that the phrasing "shall prescribe for the child a programme involving continuing studies or other activity, or both," is not good enough.

I submit to you, Mr. Chairman, that other activity could in fact be straight work. And where are these kids going to find jobs? Who is going to hire 14 year olds in our society? The only area of work they would be able to find is probably in the service industries at minimum wage. That's not good enough as a learning experience for 14 to 16 year olds in our society. That is just not good enough.

The principle has to be in the legislation and it has to be backed up by the regulations. The principle has to be that this continues to be a genuinely educative experience. The principle has to be that children in our society have universal accessibility to education. You only breach that principle under very grave circumstances. You simply have not spelled out those circumstances clearly enough.

What you have done is you have let the educational system off the hook because it has failed a number of these children. These children are admittedly not coping with the educational system. They are not getting maximum benefits out of the educational system. And you have decided to put in this release clause. But it is not a release clause; it's a condemnation of our educational system. It's a condemnation of our society that we would consider this alternative without having those alternative educational programmes in place.

Now if we had them, if we had the mix that Walter Pitman used to talk about, if we had that in place, if we could use these people, these children and their humanitarian instincts in social work, in genuine work, in schooling activities, then I just might agree with you; but under the present circumstances I don't, I can't. I cannot in conscience reduce the accessibility of education for our teen-aged population.

Mr. Chairman, I really have not felt that strongly about any other issue in this bill. As I say, it's a principle we breach at our peril. The safeguards just are not there.

Now I know in my heart of hearts the minister is not going to accept my amendment. I hope he does. In fact I plead with him to do so; but I don't think he will. What I ask, if he won't accept it—while I am on my feet—is that he bring the regulations back to the Legislature or a committee of the Legislature before gazetting them. Because if I, as an amateur educator and an amateur legislator, can spot a hole in the regulations, which you felt confident about on second reading and said they had gone across the province, although you failed to consult with a whole range of people who would be concerned, then there may be other loopholes.

I submit to you that in a matter as serious as this, where Children's Aid Societies and every social agency dealing with teenagers are coming under increasing pressure, you should have done some consultation with your cabinet colleagues in the Social Development policy field. I am not sure that the Provincial Secretary for Social Development (Mrs. Birch), the Minister of Community and Social Services (Mr. Brunelle) and the Minister of Health (Mr. Miller) were aware of these regulations.

Mr. E. M. Havrot (Timiskaming): Don't fall over. Don't lean over too far.

Mr. I. Deans (Wentworth): And little John Smith.

Mr. Foulds: I'm not even sure that your parliamentary assistant, little John Smith, was aware of anything to do with this bill, let alone these regulations.

Mr. Lewis: Come on, John. Stand up.

Hon. Mr. Wells: Your party supported this two years ago.

Mr. J. R. Smith (Hamilton Mountain): I have spoken favourably in this House in the private members' hour.

Mr. Lewis: Well, it just shows that policies change.

Mr. Foulds: And it just goes to show you —you know the argument that I'm making is a serious one—that if those alternative things were in place we would support it. But those alternatives are not in place.

I submit to you that this is a section that we will divide on; and we will attempt, with every legislative means at our disposal, to persuade you to do otherwise. I plead with you: How could the Minister of Community and Social Services agree to these draft regulations? I doubt if he has seen them. Is he aware of the impact that it will have on his ministry and on the social agencies of his ministry, to whom a large number of these children will be coming? I would be glad to yield the floor to the Minister of Community and Social Services if he would care to comment.

Mr. F. Laughren (Nickel Belt): If he's even seen the regulations you'll yield the floor.

Mr. Foulds: Mr. Chairman, I thank you for your patience. Those are our principles; we oppose this section. Thank you very much.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Chairman. I don't agree with the hon. member for Port Arthur about this section of the bill. I think a student should be allowed to leave school at 14, not on his own volition but in co-operation with the guidance counsellor in the school and the principal of the school, and with the consent of the parents and the social worker, so that there would be a team that would look after the welfare of the individual before granting permission for a student to remain out of school.

You could refuse to allow a student, on reaching 14, to leave school. Certainly the student would stay in the classroom, but what is he going to accomplish by being there, being forced to bring his body into school but not his mind? In my estimation, Mr. Chairman, we are not doing the student, his parents or the community a service by thinking we can force education onto him when he doesn't want to accept it.

We can bring the horse to water but we can't force that horse to drink. It is exactly the same thing here with this 14-year-old.

I don't think that a 14-year-old should be allowed simply to withdraw because he is not accomplishing anything. I think there should be some safeguards built in. Now the minister may not have the safeguards in the regulations today; and if they are not in, I would strongly suggest to him that he build them in. There have to be alternative programmes for the student if he is going to be withdrawn from the school. I think it's absolutely essential that he receive some type of education. We all agree that education is not only obtained in a classroom,

that it can be obtained throughout the community and that one does not have to be in school to become fairly well educated.

Mr. Chairman, the student who is forced to remain in school but does not want to learn could be a very great disruptive factor in the classroom. Not only would he not learn, but it could be to the point where he would affect the learning abilities of another 30 students in the classroom. It would be better to have that student permitted to leave the system with the various safeguards I mentioned.

The member for Waterloo North (Mr. Good), who has a very strong Mennonite community within his riding, would find if this were not permissive that the Mennonites would be disadvantaged and would not be allowed to have their 14-year-olds leave the system, if this were not permitted. Mr. Chairman, one could speak fairly well ad infinitum on both sides of this, but as a practising teacher myself I have gone through the experience of students who just did not want to learn, not necessarily because of a difference between the teacher and the student, or between the subject matter and the student, or the principal and the student. There may be all kinds of other social implications in the home that cause that student to want to leave at that age and maybe seek employment elsewhere or seek a different style of education.

As I said earlier, Mr. Chairman, safeguards have to be built in, but the student should, with the consent of the parent, the principal, the guidance counsellor, the social worker in the community, be allowed to leave.

Mr. Chairman: The leader of the NDP.

Mr. Lewis: Mr. Chairman, the Minister of Education was probably right to make the interjection he did about the view of the party a couple of years ago. I don't recall the precise private member's bill, I must admit, but it is true to say that as a party we have had strong feelings on both sides of the question. I don't feel embarrassed by that. I am sure that on occasion the minister himself has seen this as a pretty difficult problem.

Hon. Mr. Wells: I have made speeches like the member for Thunder Bay when you people were on the other side pressing me to change.

Mr. Lewis: Fine.

Mr. Deans: Why don't we resurrect some of those tonight?

Mr. Stokes: So even you were ambivalent about it.

Mr. Lewis: I like that word ambivalent. It is a first-rate word, that is. The ambivalence which you have felt on occasion, we feel now, Mr. Chairman, to the minister—go ahead and chat.

Hon. W. G. Davis (Premier): You are feeling very friendly tonight.

Mr. Lewis: One of the reasons for the ambivalence, one of the reasons we have decided to oppose the clause or to put the amendment which was put by my colleague from Port Arthur, is that the regulation is inadequate to the purpose intended.

Mr. Deans: Why don't you separate them?

Mr. Lewis: No.

Mr. Deans: That's what they would do in school. If the Premier and the Minister of Education were in school, they would be separated. They are not paying attention.

Mr. Lewis: As a matter of fact, if you were in school I would pass this regulation and kick you out.

Hon. Mr. Davis: I tell you if you were the teacher, I would look forward to it.

Mr. Lewis: Well, there you are. We finally reached a consensus on something. There is no limit to the job possibilities I could conjure up for you.

Hon. Mr. Davis: Tremendous.

Mr. Stokes: They dream of the "blue machine" here and there.

Mr. Lewis: All right.

Mr. Chairman, the basic problem with the clause is that the regulations which you have drafted for it simply do not ensure the objects which you intend. We are not dealing with something frivolous here. You are lowering the school leaving age from 16 to 14. We understand the motives that support that lowering, but you understand, surely, if you are going to allow departure from the school system for a large number of from 14- to 16-year-olds, then the regulations which accompany the new role for them have to be fairly tightly drawn.

Mr. Chairman, I am having a great deal of difficulty with some of my colleagues, I want to put that in Hansard.

Mr. Chairman: I would ask the members of the NDP to—

Interjection by an hon. member.

Mr. Lewis: No, no, no. Not at this end. Au contraire, not in the slightest.

An hon. member: The member is interrupting.

Mr. Chairman: Perhaps the NDP members would check with their leader and let him participate in the debate.

Mr. Lewis: It is the chief whip of the New Democratic Party who is under the pressures of this—

Mr. Chairman: Perhaps he would give his leader an opportunity to speak.

Mr. Lewis: He's reverting to the prepubescent activity for which he is noted.

Would the member for St. George like to speak?

Mrs. M. Campbell (St. George): Very briefly.

Mr. Chairman: Would the leader care to speak to the bill?

Mr. Lewis: Yes, I'm prepared to try to speak to the bill.

Mr. R. F. Nixon (Leader of the Opposition): It's his last appearance as a private member.

Mr. Lewis: One of the reasons which accompanies the introduction of the clause is the assumption that there are a lot of 14-, 15- and 16-year-olds who don't want to be in school and who should have the opportunity to leave it for other pursuits.

Let me tell you that I believe, and many of us believe, that a lot of kids who are difficult kids—not kids who don't like school, but kids who have difficulties of adjusting to school—will be the children who find themselves outside the normal educational apparatus through this clause. The problem is that you haven't carefully planned for the consequences of this Act.

One of the things which really stirred me to intervene in the debate at all was that I had some phone calls and some letters from social agencies around Metropolitan Toronto in the last few days expressing very serious concern about how this clause will operate, how the regulations will be employed.

I had a call yesterday from the president of the Metropolitan Toronto Children's Aid Society who, speaking on behalf of the board, sees this clause which you're introducing as a real threat to the society. I'm serious. They have no assurance.

Interjection by an hon. member.

Mr. Lewis: No, I'm not misinterpreting him.

Hon. Mr. Wells: Why don't they call us, then?

Mr. Lewis: As a matter of fact, they did a very responsible thing. As a board they got in touch with the trustees of the Toronto Board of Education, and they could not elicit from the trustees of the Toronto board the way in which these regulations would take effect.

Mr. R. F. Nixon: How did they know?

Mr. Lewis: That's why my colleague from Port Arthur—

Hon. Mr. Wells: That is local autonomy.

Mr. Lewis: Come on, now. You're toying with the lives of adolescents; that's no longer a simple matter of local autonomy. You want to give to boards of education the local autonomy to make these decisions—fair enough.

Mr. R. F. Nixon: You mean when anything is important it has to be settled here?

Mr. Lewis: No, that's not necessarily so, but when you are assuming something is going to be handled by local autonomy at least give them a regulation or something which is a rather better guideline than this is, because this guarantees nothing for the kids involved. This really guarantees nothing.

First, it doesn't involve the child enough in the making of the decision. It relies too heavily on the parent and not enough on the child.

That's a mistake. There's a great deal of discrimination against the kids in this situation. If they're leaving to go out into the world, as it were, you could discuss it with them a little more fully.

Secondly, there is no guarantee that the programme which is worked out for them can be sound. If the programme is a work programme who the devil is going to hire them? What wages are they going to be paid? What jobs are they going to do? What guarantees have you that you're going to combine work and education in any appropriate ratio? What guarantee have you that a lot of the kids who emerge won't end up on the doorsteps of the children's aid societies? That's what they're worried about.

I have in front of me a letter from the Youth Services Network of Metropolitan Toronto. That's what they're worried about. The social agencies are simply not, in any sense, assured in their own minds that there has been enough thought given to this regulation about the school leaving age.

What we're saying, Mr. Chairman, is that we understand the motives behind it. I can recall my colleague, the former member for Peterborough, Walter Pitman, speaking in this vein. We've spoken in this vein ourselves.

Mr. Renwick: The former member for Scarborough East, Tim Reid, spoke in this vein.

Hon. Mr. Wells: Does Walter want to remove compulsory school attendance?

Mr. Lewis: That's what I'm saying to you. I'm saying to you that Walter made speeches which would concur with the drift of this clause. I'm not dissembling. I'm telling you, I'm admitting it. I'm saying to you that I've made speeches which would concur with the drift of this clause.

Hon. Mr. Wells: That's right.

Mr. Lewis: We have expressed the ambivalence that any educator or politician has to express when you are making a change which can be as fundamental as this one. The reason for the objection, Mr. Minister, is that there has just not been enough thought given to the consequences of the Act. There is not enough thought in discussing it with the boards, with the social agencies and with many of the parents' group.

You should take a little more time and draft different kinds of regulations, which would be much more protective of the kids when they leave. Sure, there are kids who should be out of school and should have the right to leave school. Who can deny it for a moment? But there is nothing in the legislation which thoughtfully follows them through for the two years that they may be out. That's the obligation of the school and the school board.

They are still getting money for the kids, aren't they? Am I right about that? They still get the money for the children who leave the school. They've got to have a much more direct responsibility in describing the programme which accompanies the child once the decision to leave has been made.

I know, Mr. Chairman, there is something faulty about the clause when the various social agencies begin to express so much anxiety. They are not irresponsible social agencies. They've been in touch with trustees and they've discussed it as boards and they still feel very anxious about the minister's clause, about the bill.

What I'm saying to you is don't proceed with it as it is now constituted. Spend further time, withdraw the regulation, redraft it in conjunction with the people who will be directly affected and then see if it will work. I don't think that's an unreasonable demand. We are not differing with the principle on it with you. That's why we'll leave it for clause by clause.

Hon. Mr. Wells: That is not what your colleague said.

Mr. Lewis: No, my colleague said that he has felt uncertain about it on occasion. That's true. Who hasn't, I ask you?

Hon. Mr. Wells: He said he didn't agree with the principle.

Mr. Lewis: He didn't agree with it within the regulation and the way this clause worked. I listened to him. He read the regulation to you and showed you where we disagreed with it or where we felt it wasn't protective enough.

I think that's a fairly valid argument, I really do. I don't think this regulation is nearly adequate when you are dealing with 14 and 15-year-old kids and the implications.

Mr. R. F. Nixon: They are not going to read the Hansard.

Mr. Lewis: I consider them, by and large, pretty mature kids. That's why I think one should have a slight resentment that you are not consulting them more about their leaving the school. I really think you should redraft the regulation, and that's why we are against it.

Mr. R. F. Nixon: Mr. Chairman, I want to speak in support of this section. I remember very well when the Premier was Minister of Education and the proposition was before us to raise the school leaving age and we supported it at that time. I now see it as a mistake and I think the Premier does as well. I can recall when the hon. member for Waterloo North, who is not with us at this present time, had a number of his constituents, the Mennonite people, who brought to our attention their personal and family responsibilities in this particular area.

It certainly has come to my attention, not only as a member but as a former teacher, the problems that have been experienced

by attendance officers, principals, teachers, school board elected representatives, including chairman, social workers, many others. The school-leaving age being raised to 16 was a noble experiment. It was brought forward by the ministry. It was supported by ourselves and by the NDP at the time. I personally now feel it was a mistake. It trespassed upon the rights of groups like the Mennonites who accept a community and family, personal responsibility in this regard. It also trespassed upon the good sense of many people who were called upon to enforce the regulation of 16 as the school leaving age, which is in many respects unenforceable.

We don't want to talk about personal occasions, but many of us are aware of the circumstances when people under the age of 16 obviously have no continuing place in the formal education system of the province, and they can be served by other aspects of our programme and be led into a productive life in the community with many ancillary responsibilities. I feel that the proposition contained in the subsection before us, which reduces the school-leaving age under the regulation responsible to the minister is—

Mr. Foulds: No, not responsible to the minister, that is the point. The regulation doesn't do that.

Mr. R. F. Nixon: Page 19: "Subject to the approval of the Lieutenant Governor in Council . . ." I presume that the Lieutenant Governor listens to the recommendations of the minister, but maybe she doesn't. Maybe she does what she chooses.

Mr. Foulds: That's a possibility, but we'll never see it.

Hon. Mr. Davis: No, I think she will take some guidance, at least.

Mr. R. F. Nixon: All right, at least some guidance.

Mr. R. F. Ruston (Essex-Kent): Considerable guidance.

Mr. R. F. Nixon: At least some guidance. And in my view subsection 7 corrects that error that we made with passion some years ago—

Hon. Mr. Davis: Enthusiasm.

Mr. R. F. Nixon: Enthusiasm. The Premier, who was here in the House, for heaven's sake, was recommending it at the time.

Interjections by hon. members.

Mr. R. F. Nixon: We supported him then, and we support him now, because certainly it was a mistake then and we shared in the responsibility of it. I believe that we have a responsibility here as elected members of the Legislature, but certainly to require by law that everyone must attend the formal sessions of the education system to the legal age of 16 is a mistake. I believe that our experience has proved that. Certainly I and my colleague from Windsor support the subsection as it is put forward.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: Mr. Chairman, I wonder if I could draw perhaps a different light on this particular section. There is no question that we cannot continue children in school if they are, in fact, not prepared to learn in the school system. When it comes, however, to the regulations, I would like, if I may, to give you a little bit of experience that I have had in this area, which might incline you perhaps to rethink your regulations.

An hon. member: Exactly.

Mrs. Campbell: As a judge in the court we had truancy cases. I must say, when I speak of our experiment, we were dealing with children of the 15-year-old bracket, not 14. But what we did in these cases was to continue the child as a student in the school on a part-time basis. Then the school, in co-operation with industry, worked out a programme on a part-time basis with that student so that the student was able to proceed in the direction in which he or she wanted to go.

The results were interesting. In some cases the student returned to the school on a full-time basis, because he found the world out there wasn't the great world he thought it was. There were those who at least accepted the fact that having a partial academic programme was helpful to them in their chosen careers. And finally, there were those who did opt out and did go into full-time employment but they had that lift over a period to enable them to adjust.

This is the kind of regulations I would like to see, because it does seem to me at the age of 14 the fear that I have—and I have seen it again in the courts—is the fear of the pressure of parents on a 14-year-old to get out and get into the work force. You have asked in your regulations that it be the parents' application; and this bothers me.

Mr. Lewis: That's right.

Mrs. Campbell: I would like to give you a case in point of a girl who was the daughter of an Italian home. The mother was ill and removed from the home. Father, in the tradition of his former land, believed that that daughter ought to be in the home looking after him in lieu of his wife. He saw no reason why he should look after the baby. You had that whole dichotomy of a girl who was literally forced out of the home for a period of time.

Now, I'd like also to draw your attention to the fact that you have retained in this bill section 29. Section 29 is almost unenforceable in the courts. That is a section which requires a parent or guardian to retain a child in school under pain of fine. It happened in the case to which I made reference. That was one case where a father was brought before the court under that section.

Mr. J. R. Smith: There was a case of a father in Hamilton six years ago.

Mrs. Campbell: Yes, it happens, occasionally. I would like to point out that I wonder if the staff has thought through the effect of this clause with your kind of regulations as it might affect section 29.

I want to say that I am certainly of the opinion that the move itself in the section is appropriate, but I have to endorse the position that in my view there should be that kind of protection built in so that a 14-year-old child has the opportunity to change his or her mind, based upon alternatives which they may see. This is where I have problems. I think 14 is an awfully young age to make permanent decisions; I guess that is what I am saying.

Another thing. Since you changed the policy of grants to grants in accordance with enrolment at the beginning of the year, I found schools were very ready to say "Bye-bye kids; you are a nuisance." It was strange how often, in the face of a probation order, the child would return to school only to find that he or she had been suspended; and then we had to go through the whole process again. When the school came down on occasion, you would hear from the vice-principal, who was usually the person they sent: "Look, this kid is just a nuisance."

All I can say is, please, would the minister give us assurance that he would rethink these regulations—because that is really the nub of the problem. As far as the section goes, I have no problem with it, if you will strengthen those regulations and if we can have some assurances on that. Thank you.

Mr. Chairman: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Chairman. Mr. Minister, I must admit I have some real ambivalence about this discussion here. When the private member's bill from the member for Waterloo North was brought forward, I spoke as the lead-off speaker for our party in that session and quite strongly supported the principle of the bill, which is that there could be an early school-leaving age.

But on that bill we were talking in the context of the Mennonite community in Kitchener, whose families were very supportive. In point of fact, the students wanted to return to the family farm and would be continuing the traditions of the very strong Mennonite farming community and those farming methods. At that time certainly in the front of my mind, was that we were talking about a student wanting to leave school and having, through counselling or through availability of some training programme, a spot in which his time and his talents would be usefully employed and his interest retained, not just someone who would be thrown out on the street to wander around for a couple of years until he sorted himself out or found his interest some other place. I do have some apprehensions about the lack of regulations in this bill, or the omission in the regulations, that would point toward some positive programme or programmes in which the students who would profit by leaving school at age 14, could be placed.

I certainly can see no need for keeping a student who is absolutely bored to death with the educational system at age 14 in our school for another two years just for the sake of keeping him or her there. There are many programmes, particularly for girls in the retail field, and apprentice programmes in which the boys could start. There would be apprentice programmes for girls as well.

On this line, the country of Germany starts apprentice programmes at age 14. I know some immigrant families in Ontario—in fact, in the city of Windsor and a few other locations—who, in fact, pull their children out of school at age 14 and send them back to Germany to live with a relative in order that they can commence the apprentice programmes which are there in Germany at age 14. This is the type of programme that we should have here and now.

The absence of a guarantee of a programme like this in the regulations leaves me in two minds. I would hope the minister would do what he has been urged to do by other members of this House and that is simply come back with a discussion of the regulations or make very firm assurances regarding the concerns of what will happen to these 14-year-olds, that they just won't be the troublemakers cast out on to the street, and that their interests will be taken care of in some sort of a training programme. Thank you, Mr. Chairman.

Mr. Chairman: Does the minister have a reply?

Hon. Mr. Wells: Mr. Chairman, as I guess the leader of the New Democratic Party has already said, I feel a little ambivalent on this, because I have stood up here many times during my estimates in the last several years and used many of the same arguments that have been used by some of his party about why we were leaving the school-leaving age very rigid, with no flexibility. This, as the hon. Leader of the Opposition has stated, was brought in three, four, five years ago. It wasn't a mistake at that time, I submit. I think that it made good sense.

Mr. R. F. Nixon: Certainly it was. Within a month the attendance officers found it was impossible.

Hon. Mr. Wells: It made good sense to bring it in and it was supported at that time and it was brought in. I guess the mistake that occurred was that we didn't provide for some kind of a provision, which we are now planning to do through this section in this new Act. I want to emphasize that the emphasis here is not on casting people out of the educational system but on providing alternative educational programmes for those people who are not benefiting from the traditional regular programme.

As we all know, the traditional regular programme in the school is much wider than it ever was, even when the school-leaving age of 16 was made mandatory. There's a wide variety of regular programmes within the school buildings even now, but this Act provides for regulations to be made to provide an even broader alternative programme. I would like to tell the hon. members that it was brought in to satisfy some of the very things that have been mentioned here; to get away from a very rigid school-leaving age, but yet not to go back to the situation where we had people who were, for one reason or another, considered a trouble in school and therefore could be cast out without any thought.

That was our biggest concern and this was the main reason why I have never moved earlier than this on changing this section, because it would have been very easy to move back to the old work permit idea or something like that; to move back to that, have no consideration for these 14- or 15-year-olds and have them just thrust out of school because of some arbitrary decision of a principal or vice-principal, that they were a nuisance and they were interrupting the cozy atmosphere of his school; and that was never the intention of anything here.

The intention here was to provide a mechanism whereby, through a committee and through very careful assessment of a pupil along with his parents and all other community organizations, all kinds of people, a pupil who was not benefiting from the regular school programme could be provided with an alternative programme. And that could involve part-attendance at school or an alternative educational experience—such as my friend has mentioned—in a social service agency. Alternative education is now being pioneered, as he knows, in Peterborough; and alternative educational programmes in the industrial area are being pioneered in other boards across this province.

It could involve even something in an innovative way that he or I might not have even thought of now, but which some boards will be perhaps forced to think about as they develop under these regulations.

Now, the thrust of this is to provide an alternative programme for these young people and not to thrust them out and not to change the school-leaving age. I draw your attention, of course, to section 6 of the draft regulations. I just want to underline that these are just draft regulations, and they're not in final form yet. We'll certainly study everything that's been said in this debate as we finalize them.

But one of the keys to this, of course, is that they do remain the responsibility of the school. That's set down in draft regulation 6; the school board still gets the grants for these pupils.

Mr. Foulds: That's all that guarantees, though.

Hon. Mr. Wells: They have a responsibility to—

Mr. Foulds: It doesn't say that.

Hon. Mr. Wells: They have a responsibility—

Mr. Foulds: Excuse me, Mr. Chairman. On a point of order; will the minister read that draft regulation where he says it spells it out.

Hon. Mr. Wells: All right, it says here:

> A pupil who is excused from attendance at school as determined by the committee under subsection (3) shall be included as a full-time pupil in the enrolment of (a) the school that he attends on a part-time basis, or (b) the school that he would attend if he were not excused from full-time and part-time attendance at school, until he is no longer of compulsory school age.

And then in section 4 (1) it says:

> The school attendance counsellor shall have the same powers and shall perform the same duties in respect of a pupil as in the case of a child who is not excused from attendance at school.

Pupil means a child who, under this setcion, has been excused. And (2):

> The principal and school attendance counsellor shall, in addition to any other reports required of them, report to the committee [that is the committee that granted this alternative programme] from time to time as required by the committee regarding the progress of the pupil, and they are entitled to require and obtain from the parent and from any person associated with the conduct of the programme prescribed for the pupil, such information as they require for their reports.

In other words, in that section we're trying to say that the ties are not to be broken with the school and with the board which has jurisdiction of the pupil. They are to be maintained and the programme is to be monitored. There's to be a constant review of that programme. It can be changed from time to time, it can be altered, it can be adjusted. That's what we're trying to do here.

Now, that's the complete sense of these regulations. They are not, and I emphasize that, to change the school-leaving age. They are not to cast people out of school early. They are not to interfere with the universal accessibility of free education up to age 16 that's guaranteed in here; that is, compulsory attendance to age 16. They're not to do any of these things. They're to be a progressive step to get at some real problems that we have, and to work with people—parents, children, people in the schools and people in the community—to solve those problems.

Now, if the Children's Aid Society or some of the other groups have problems, I'd be happy to meet with them and talk to them about them, because I haven't. But I've talked to headmasters and I've talked to school attendance counsellors. My friend might be interested: I even mentioned it to the Ontario Federation of Labour during one of our meetings. I don't think we consulted about it in a regular consultation way. But they were interested and thought it was probably, I think, a step in the right direction.

So, I think that we'll take heed of all the things that have been indicated in this debate as we draft the regulations. But I think the enabling piece of legislation in this bill is necessary and it's a step forward.

Mr. Bounsall: Mr. Chairman, could I ask the minister just a couple of questions?

Mr. Chairman: Yes.

Mr. Bounsall: Mr. Minister, I have two questions.

No. 1: Would this change, as you have provided, allow a Mennonite student to return to the family farm? Is that a qualified programme?

No. 2: Regarding all the things you have talked about tonight, in terms of the school counsellor being required to have the same responsibilities for those students as he formerly had as if he was in school, will a letter be going out to the schools and all those counsellors stating unequivocally that they are to take this interest in these students, and even more so because they don't have the opportunity to see them day by day?

Hon. Mr. Wells: Yes, in answer to your last question, it absolutely will. It will be very clearly communicated to the counsellors in the schools that this is the kind of legislation and regulations we are developing here and that they are to take an interest. I think that message already has got across as we developed our dialogue on this whole problem over the past six, eight or nine months.

In regard to your first question, I think that is going to have to depend upon the way the Waterloo County Board of Education, where most of these people are located, decides to handle this matter within its jurisdiction. If that is the particular area where they happen to be, or if a committee is set up in some other area and the people come into that committee and the discussion goes

on, I think it would be presumptuous of me to tell them how they should decide to handle the situation when it is put before them.

Mr. Chairman: The member for Port Arthur.

Mr. Foulds: Mr. Chairman, I still feel profoundly uneasy. I know the minister's intent, and I don't deny that intent, but the sections of the regulations that he read to me do not guarantee what he and his officials think they guarantee or what they hope they guarantee.

All that regulation 6 does, which he read to me, is guarantee that the board will continue to get the grant because the child will continue to be officially on the rolls. That is all that guarantees—and I underline the word "guarantee."

Secondly, the fatal flaw—and there is a fatal flaw in the drafting of the regulations as they now stand; what you were referring to as regulation 6, Mr. Minister, was in fact regulation 3(6)—and the fatal flaw in regulations 4(1) and 4(2) is that it is the responsibility of the committee that prescribes the programme to also monitor that programme. The possibility that I expressed to you, that that programme could be straight work and nothing but work, still exists.

Now if you can give us assurances—and, to be honest, I don't know how you would draft this—but if you can give us an absolute commitment that the—

Mr. Chairman: Order, please. There is too much noise. I can't hear the member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman.

Mr. Stokes: Thank you, Mr. Chairman, for bringing this riff-raff to order.

Interjection by an hon. member.

Mr. Chairman: Order, please. The member for Port Arthur has the floor. Please proceed.

Mr. Foulds: If you can give us absolute assurance that in some manner the child will continue to have an educative experience at least proportionate to that of a work experience, say 50-50, that the experience not be simply a work experience, we would consider that a victory.

If you can give us an absolute assurance that the school will not only have the responsibility but will follow through on that responsibility to ensure that at least some portion of that child's time continues to be an educative experience within the meaning of this Act, then we would consider that a victory.

Hon. Mr. Wells: Mr. Chairman, I would consider that that kind of assurance from me at this point might inhibit the development of a full programme and complete autonomy under this regulation for a board.

I don't know what you mean by a guarantee that they would have an education experience, because it may be that when this committee looks at one pupil they may decide that because of a number of circumstances, and because he can, indeed, fit into a work situation during the daytime at a certain place and wants to complete his programme at night school or we arrange correspondence school, would that qualify?

Mr. Lewis: Sure.

Hon. Mr. Wells: Sure, and that's the kind of thing that they'll do, but I don't know how we're going to write that into the regulations yet and I can't gurantee that that will be in the regulations. I think that by starting to put limits in we inhibit the total work of this committee. I think that the committees and the board will have to develop these things themselves.

I can go as far as guaranteeing you that we are going to stress this when this programme is put to the boards. We're going to stress that what we want is an alternative educational experience, but I can't go beyond that.

Mr. Lewis: Mr. Chairman, I must say to you I don't want to vote against the clause because, basically, the proposition of flexibility makes sense, but the regulations are really not drawn in a way which protects the kids involved.

Hon. Mr. Wells: These are only draft regulations.

Mr. Lewis: You say they're draft regulations. Can we have from you—and I think this wouldn't be difficult—a commitment that some of the major social agencies, on whose doorstep many of these kids may find themselves if it doesn't work—and that's what the agencies are apprehensive about; some of the industry and labour groups which will obviously be involved in the work programmes—can they be talked to in advance of the regulations becoming formalized? These are the people who are directly involved and with whom there has been very

little discussion; certainly not that's satisfactory to them.

Hon. Mr. Wells: I've even done something that we very rarely do here and made the regulations available before we pass the section—

Mr. Lewis: As a matter of fact that is a good precedent, something you need to be proud of.

Hon. Mr. Wells: —before we even have a section to allow us to make the regulations. All I can tell you is they are draft regulations and I will give you my assurance that I will study the debate that has gone on in this House tonight as we finalize the regulations.

Mr. Chairman: The amendment moved by Mr. Foulds is section 10, subsection (7)—Oh, the member for Scarborough West.

Mr. Lewis: I'm sorry. I would like to call my colleague from Thunder Bay back across the floor.

Interjections by hon. members.

Hon. Mr. Grossman: I did my best!

Mr. Chairman: Are you seeking to speak on the amendment?

An hon. member: He was calling his whip back to his seat.

Mr. Lewis: No, Mr. Chairman. I was endeavouring to count and I notice that there are only four of us here. There are five required for a vote.

An hon. member: Did you pick Forest Hill?

Interjections by hon. members.

Mr. Lewis: I don't think so. He didn't have to take his shoes off either.

Mr. Chairman: Order please. Order

The vote is on Mr. Fould's motion that section 10, subsection (7) be deleted from the bill.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Lewis: We'll stack it, Mr. Chairman.

Mr. Roy: Those birds didn't say "boo."

Mr. Foulds: Yes we did.

Interjections by hon. members.

Mr. Chairman: I said the "nays" have it. I didn't hear an "aye" in the whole House.

Interjections by hon. members.

Mr. R. F. Nixon: Not an "aye."

Mr. Chairman: If you said "nay" you are voting against your resolution.

Interjections by hon. members.

Mr. R. F. Nixon: Not a one.

Mr. L. C. Henderson (Lambton): The motion is lost

Interjections by hon. members.

Mr. Chairman: Order.

Mr. Stokes: Is this going to be one of those nights?

Hon. Mr. Grossman: Did the member for High Park get lost?

Mr. M. Shulman (High Park): Is this a medical meeting?

Interjections by hon. members.

Mr. Lewis: Mr. Chairman, I would like that stacked. Is it possible you can call the vote again and we won't waste the night?

Mr. R. F. Nixon: We'll even say "aye" again.

Mr. Chairman: It being Christmastime—

Mr. Lewis: It is not Christmastime. It is the function of the House.

Mr. Chairman: Is it agreed that we will stack the amendment?

Agreed then.

Is there any other member who wishes to speak before section 25 of the bill?

Mr. Roy: I want to speak to section 271.

Sections 11 and 12 agreed to.

Mr. Chairman: On section 13, the hon. member for Port Arthur.

On section 13:

Mr. Foulds: Thank you, Mr. Chairman. I don't have an amendment to this section, but there is one little thing that I want to talk about under section 13.

Section 13 is the section which gives the minister, subject to the approval of the

Lieutenant Governor in Council, the power to establish and maintain a college for the professional education of teachers or to enter into an agreement with a university for teacher training.

There is a shabby, sad little story rattling around within the ministry about the integration of Lakeshore Teachers' College with York University. That's the story of the way the ministry has treated the teachers of Lakeshore Teachers' College. There are about 20 teachers affected. York University has not agreed to take them into their programme, and the ministry has abandoned them. They are teachers ranging in experience in teaching training from as little as three years to as much as 25 years.

As one goes through the original agreement between the minister and York University, one clause springs out; it is clause 20 (2):

> Arrangements satisfactory to the minister and the university will be made to provide for the integration of the staff of Lakeshore Teachers' College into the university, insofar as sick leave, vacation leave, medical insurance and other fringe benefits are concerned.

Clause 20(1) reads:

> The university shall, commencing on the effective day of this agreement, employ and pay all teaching and non-teaching personnel, including the principal, vice-principal, administrative and maintenance members of the staff of Lakeshore Teachers' College, at salary rates not less than their salary rates on Aug. 1, 1971.

There are various subclauses, but what I want to say very briefly and not unduly is that the minister and ministry has in fact abandoned these people.

One of the first letters that I had in this spotty correspondence is a letter that the former Deputy Minister of Education sent to Mr. Condlln who was and is the secretary of the faculty association at Lakeshore Teachers' College. I'll read the whole letter:

> Over the years in your capacity as a teacher educator on the staff of Lakeshore Teachers' College you have given faithful service to the Department of Education for the Province of Ontario.
>
> As of Aug. 31, 1971, however, in accordance with the regulations of the Ontario Public Service Act governing your employment as a civil servant, I wish to notify you of your release from the public service so that you may assume a position of responsibility within the offices of York University.
>
> Please accept my personal thanks and the appreciation of the Department of Education for the significant contribution you have made to teacher education. As a member of the staff of York University you will, I know, continue to influence education and development in the Province of Ontario.

That was signed by E. E. Stewart, the former Deputy Minister of Education.

Very simply, that commitment and that understanding has not been lived up to. Twenty-five teachers have not been accepted by York University, although it has had four years. York University has not integrated them into its programme, and they are now getting letters such as this one addressed to the secretary of the Lakeshore Teachers' College from Mr. R. L. Overing, dean, faculty of education, York University:

> Frankly, the prospects do not encourage optimism. Our present plans are to close Lakeshore Teachers' College on June 30, 1975. The staffing pattern of the faculty of education, as you know, is based on faculty cross-appointment, either from the schools or from the academic departments of the university.

I read further on in the letter:

> President Yolton, Principal McClure and I all know that your contribution to the operation of Lakeshore during 1974-1975 will be invaluable.

These people have no job security at the end of this year and yet you expect them to carry on with high morale at Lakeshore Teachers' College. You are asking too much. Listen to this—this really interests me:

> The college programme will not be as effective as it presently is without you, but you must not let this consideration prevent you from accepting satisfactory alternative positions elsewhere before June 30, 1975.

How the hell are you going to carry on with the programme at Lakeshore Teachers' College if you are encouraging the faculty to leave?

Hon. Mr. Grossman: Watch it there.

Mr. Chairman: Order. Order.

Mr. Foulds: Oh, pardon me.

Mr. J. R. Breithaupt (Kitchener): Intemperate language.

Mr. Chairman: Order. Keep that noise down, please.

Mr. Foulds: How the devil—is that all right?

Mr. Chairman: Pardon?

Mr. Foulds: You know, it always puzzles me—

Mr. Chairman: The member is out of order. He must take those remarks back. That's not parliamentary.

Mr. Lewis: Oh, will you stop it? Will you not be so silly. Good Lord.

Mr. Foulds: Mr. Chairman, I withdraw the word hell.

Mr. Chairman: Proceed.

Mr. Foulds: I know the homeland of the devil is unacceptable, but the devil himself is acceptable in this chamber. Therefore, I will say how the devil—

Mr. Roy: We're discussing Christian-Judaeo principles, and you mention the word hell.

Mr. Foulds: How the devil do you expect them to carry on? How the devil do you expect the programme at Lakeshore, in which students are enrolled until the end of June, to carry on while you are actively encouraging the faculty to leave before the end of June?

Hon. Mr. Grossman: Mr. Chairman, the member has got blood all down the front of his shirt. Take a look.

Mr. Foulds: I just thought I'd wear the party shirt tonight.

Hon. Mr. Grossman: You will be sorry you said that.

Mr. Lewis: And without a tie; did you notice that?

Mr. Foulds: I continue to read:

> I know there is little that I can say here to soften this blow. It may help to know that I consider the staff of which you are a part to be excellent, collectively and individually. I believe each of you personally has helped the college to become perhaps the best of the institutions in the provincial college system.

How can someone say that on the one hand and yet be turfing these people out? Further on in the letter Dean Overing says:

> For reasons that are historical, financial and political, a decision has been reached—

Hon. Mr. Wells: Political?

Mr. Lewis: Not terribly discreet.

Mr. Foulds: Isn't that interesting? He says:

> For reasons that are historical, financial and political a decision has been reached that we should not deviate from the original York model until it has been tested and proven or disproven.

Now that is, in fact, a very indiscreet letter to send. And a shabby way, if I may say so, to treat them.

Hon. Mr. Wells: What was the date of that letter?

Mr. Foulds: The fault basically, I admit, lies more with York University than it does with your ministry. But according to the original agreement, your ministry accepted responsibility for the integration of the Lakeshore Teachers' College with York University. That integration has not taken place. What they are doing is they are phasing out Lakeshore Teachers' College and phasing in an entirely new and different programme at York. They had four years, admittedly, and the integration simply has not worked.

Mr. Lewis: What is the date on the letter from York? He wanted to know.

Mr. Foulds: The date on that letter is March 13, 1974. It was sent to the secretary of the faculty association at Lakeshore, Mr. Condlln from Dean Overling. On June 18, acting president John W. Yolton sent a registered letter to Mr. Condlln.

> The agreement of Aug. 17, 1971, between York University and the Ministry of Education requires that "Civil servants who were on the staff of the Lakeshore Teachers' College on Aug. 31, 1971, and who transferred to the faculty of the university" be given formal notice by the university by June 30, 1974, if the university does not wish to offer a continuing appointment to them.
>
> Preliminary notice of York's decision not to offer you continuing employment was given to you in Dean Overing's letter to you of March 13, 1974. In accordance with the agreement, it is with great regret that I now write formally to confirm Dean Overing's letter and to notify you that

York University will not be offering you a continuing appointment.

Therefore, pursuant to article 20, section 7(2), of the agreement and York's decision to extend the final date of termination two months beyond the date specified in the agreement, your employment with York University is guaranteed only until Aug. 31, 1975.

As you know, the decision not to grant you a continuing appointment in the faculty of education arises from the particular staffing model being developed, a model which relies almost entirely on faculty cross-appointments from other faculties of the university or the schools.

These people were so upset, so incensed—not incensed, hurt—they didn't know where to turn to. They wrote, I believe, to the minister. I have no copy of that, I admit.

Hon. Mr. Wells: I got it.

Mr. Foulds: They wrote to the Premier and they wrote to various members.

The Premier said in a letter of Oct. 1:

Yet in frankness, Mr. Condlln, I do not think that the answer to the problem lies in questioning whether York University has moved toward the proper form of integration as intended by the agreement between the institution and the minister. We certainly regret that York University has decided to embark on a type of programme that offers no opportunity for the continuity of service by the members of the Lakeshore Teachers' College staff.

But nothing has been done to guarantee them employment. Then assurances such as this:

I would think that persons with the educational background and experience that is to be found among those who are members of the Lakeshore Teachers' College staff would be particularly attractive candidates for teaching, supervisory and administrative positions in the general educational community.

A few of them have found jobs, but not many.

Now, listen to this. This is the one that they feel betrayed about.

Mr. R. F. Nixon: What do you mean—"listen to this"? Why should we?

Mr. Foulds: "I assure you," said the Premier in his letter, "that in this instance, through the Ministry of Education, the government will do its full part to try to assist the members of your faculty in finding suitable new positions."

If I may, Mr. Chairman, with your indulgence, I have about five more minutes on this particular issue—

Mr. R. F. Nixon: What do you mean, five more minutes?

Mr. Breithaupt: Only five?

Mr. Foulds: It's an important one for the people concerned, and it comes up under this section of the bill.

This is a letter dated Oct. 22, 1974, from J. K. Crossley, director of the teacher education and certification branch, to Mr. Condlln.

This is in reply to your letter of Sept. 9 on behalf of the faculty association of Lakeshore Teachers' College.

There is little that I can add at this time to the information and ideas that we discussed at our meeting on July 23. I note that the Premier, Hon. Mr. Davis, has written to you as of Oct. 1 and has referred to the idea of contractual work, which was mentioned at our meeting. I trust that at least some members of the faculty are maintaining contact with CIDA, especially with reference to Nigeria.

That's one of the alternatives. Most of these women and men are in their 50s, bringing up children of university and school age, and the alternative that you suggest to them is that they seek employment in Nigeria.

Mr. Lewis: They wouldn't be acceptable, by the way—they really wouldn't. There are no jobs for such people in black countries.

Mr. R. F. Nixon: Carried.

Mr. Foulds: People of my generation 15 years ago would have leaped at the chance to go to Nigeria. The further idea that Mr. Crossley suggested was:

Have you thought of approaching a company such as Educational Consultants of Canada, 1460 Don Mills Rd., Don Mills, Ont.? They might be able to help with either direct placement of people with school boards or other educational institutions or they might be useful in formulating contract proposals which might appeal to particular educational institutions.

Mr. Chairman, the members of the Liberal Party may not consider this an important matter. I happen to think—

Mr. B. Newman: We do.

Mr. M. Gaunt (Huron-Bruce): We haven't said a word.

Mr. Foulds: —that it is one of those tiny issues that affects the lives of 25 people who have, by and large, contributed well to the civil service of this province, have contributed well to the teacher education of this province and whom, frankly, the ministry has deserted. I simply want to put to you in public terms that you do everything within your power to guarantee them future employment, to live up to the spirit of the agreement between the ministry and York University. If York is going to treat them shabbily, there is no reason why the ministry should.

One man, for example, has three years to go to retirement. Where does he find a job? I have a number of statistics that I won't read into the record. But I just put it to you in humanitarian terms, in terms that these people have served this province, that before the year runs out every single one of them be found a just place in the educational system of this province.

Thank you, Mr. Chairman.

Mr. Chairman: The hon. minister.

Hon. Mr. Wells: Mr. Chairman, I wish to thank the hon. member for drawing to our attention the case of these people at Lakeshore Teachers' College, or the former Lakeshore Teachers' College, which is now in fact a part of York University. I have met with that group. I certainly will tell the hon. member I have asked our people and this ministry to do everything we can to assist them.

As he knows, and he has read the original agreement, the agreement that we had with all the other teachers' colleges that we integrated was that that they would have four years during which time the university was to make up its mind whether it would offer them tenure or not. In the case of the other integrations, eight or nine or whatever it was, I am happy to say everything has worked out well. The only black mark, if you will, on the whole situation has been the York University situation. I regret that it had to happen that way. I had hoped that that, too, could have been handled as all others were handled and the people on the staff integrated with York University in one degree or another. For various reasons, that didn't turn out.

I will continue to do everything we can to assist in this matter. If the hon. member will recall what he read in the agreement, it said that both the ministry and York University, if they weren't offered tenure, should do everything possible to find them alternative employment. We are trying to do that. I hope York University is going to try to do that. I think since I know the president on a first-name basis, I will try talking to the president of York University about this.

Mr. Breithaupt: Mr. Chairman, on this point, I hope it was a slip of the tongue from the member for Port Arthur with respect to any lack of interest on this side of the House on the problem which he has raised.

Mr. Stokes: Lack of attention.

Mr. Breithaupt: We certainly share the concern that he has with respect to the Lakeshore Teachers' College matter. I commend the minister, certainly, for taking a serious view of the remarks which the member has made and with which we are in agreement.

Mr. Chairman: Shall section 13 carry?

Mr. Lewis: I just want to pay a quiet tribute to the House leader of the Liberal Party for rescuing his colleagues with such dexterity. I think a tribute should be paid.

Mr. Breithaupt: Mr. Chairman, at least I have some colleagues here to rescue.

Mr. Chairman: Order.

Hon. Mr. Grossman: The enemy is over here, fellows.

Mr. Lewis: May I just say to the minister that I don't know who Mr. Crossley, the director of teacher education and certification branch, is but let me suggest to him, through you, the suggestion that this group of teachers will find employment through CIDA in other parts of the world, is not only a pretty fatuous suggestion to them in terms of its practicality, but it just simply won't work. It simply doesn't happen any more. Things have changed in the third world, and that might be noted by your ministry.

Section 13 agreed to.

Mr. Chairman: Any section before section 50?

Mr. Foulds: Which section, Mr. Chairman?

Mr. Chairman: Before section 50 of the bill?

Mr. Foulds: Section 34.

Sections 14 to 33, inclusive, agreed to.

On section 34:

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds moves that subsection (6) of section 34 be amended by adding the following words after the word "minister" in the second line, "and it shall be the responsibility of the minister, in conjunction with the board, to provide alternative education for any person thus excluded."

Mr. Foulds: Now Mr. Chairman, the principle is somewhat the same as we were discussing a few moments ago under section 10 of the Act. This section allows the board to—well, I'll just read the appropriate clause first and then explain the amendment. Section 34, subsection (2) says:

> The inability of a pupil to profit by instruction in an elementary school because of a mental or physical handicap shall be determined by a committee established by the board in accordance with this section.

It's a mechanism not unlike the one that you devised for children leaving at age 14, but what bothers me extremely is that there is no guarantee in this section that those children excluded for a mental or a physical handicap will continue to have an educative experience. So I have added this to subsection (6) so that the clause would read as follows:

> Where a person is excluded from an elementary school under this section the board shall forthwith notify the minister and it shall be the responsibility of the minister, in conjunction with the board, to provide alternative education for any person thus excluded.

All I'm trying to do here is ensure that the people who are excluded, whether for a mental or physical handicap, continue to have the guarantee of an educational experience. I won't repeat the arguments I made in the committee, outside the House; nor the arguments that the hon. member for St. George made, I may say very fluently, and with her experience in the city of Toronto particularly, very well.

An hon. member: Oh a little travelling music!

Mr. Foulds: I won't repeat the arguments we made there. I simply want to reaffirm that it is our contention that those people should continue to have an education experience and we would like to see that right guaranteed in the legislation.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: There isn't any point, I think, in repeating what went on in the committee on this particular section. We took the position, at the time, that simply reporting to the minister, as it were, was not sufficient to ensure that a child, handicapped in either of these ways, would continue to have an educational experience. We think it is important that a child should not be written off for these reasons and I support this position, the position of the amendment.

Mr. Chairman: I have an amendment to section 34, subsection (6), moved by Mr. Foulds, that the following words be added after—

Mr. Foulds: Perhaps the minister wants to respond.

Hon. Mr. Wells: Mr. Chairman, perhaps I could just explain. Section 34 sets up a very elaborate procedure to provide what we think is an advance on the present legislation, that is the legislation in the present school Acts, concerning someone who by reason of mental or physical handicap cannot profit by instruction in an elementary school. At the present time, there is only provision in the legislation for an arbitrary decision, I think, by a principal. Then that person can be excluded from the school system.

Section 34 goes a lot further. It sets up a procedure whereby a committee is set up and an appeal can be made to that committee and outside expertise comes into play on that committee, and then eventually that committee hands down a decision. We have here an advance on the present legislation, an advance in this consolidation.

As I said in the committee, as a matter of fact the present legislation merely says that a person does not have to attend school if he is unable by reason of mental or physical defect to profit by instruction. At the present time, without perhaps his rights being protected, he can be excluded from school. This provides an advance in providing a committee and procedure whereby his rights can be guaranteed. The question is how far do we go beyond that if a child is judged not to able to benefit from instructions because of a physical or mental handicap? I would submit to you that there are very few children in this province at the present time who are excluded from school,

but one child excluded from school wrongly is one too many.

What I propose, Mr. Chairman, and I asked this well before this bill came to committee, is that our minister's Advisory Committee on Special Education work with this problem to decide how this could be implemented and how we can provide for some kind of programme within every school board for all children of compulsory school age. It sounds very simple, but it does have certain hidden pitfalls in it; cost pitfalls involved in provision of facilities on a universal basis across this province and not just in certain areas, things like this that have to be considered before I think we can implement a section such as has been suggested.

Therefore I gave the assurances to the committee that this is one of the things my advisory committee is working on. It ties in very closely with the whole programme for the trainable retarded and the requests of the separate school board to be allowed to establish programmes for the trainable retarded, which are also under discussion by the minister's Advisory Committee on Special Education.

What I am really saying is I am not prepared at this time to accept this amendment, but I am not saying there isn't value in the amendment and that it isn't something we are studying very diligently.

Mr. Foulds: We will stack it, Mr. Chairman.

Mr. Chairman: Is it the pleasure of the House that section 34, subsection (6), be stacked?

Mrs. Campbell: Only after the vote is called, Mr. Chairman. You have to call the vote.

Mr. Chairman: All those in favour of Mr. Fould's motion will please say "aye".

All those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the amendment lost, and the section stands as part of the bill.

Section 34 agreed to.

Mr. Lewis: There were five people who stood.

Mr. Chairman: I didn't see five members rise. Your arithmetic is different from mine.

Mr. Lewis: The member for Windsor-Walkerville more or less stood.

Mr. Chairman: More or less, and the member for York Centre just about stood. I didn't see five members rise.

Mr. Lewis: Well we will vote again.

Mr. R. F. Nixon: Is that really the Peel North executive there? Were they introduced.

Mr. R. D. Kennedy (Peel South): They have been introduced.

Mr. R. F. Nixon: What was the Premier doing here tonight?

An hon. member: He is always here.

Mr. Chairman: Order please. Has any member any comments or amendments to anything prior to section 50 of the bill?

Mr. Roy: Yes, I want to speak on section 271.

Mr. Chairman: Okay, you will get your chance.

Anything before section 75? Section 70.

Sections 35 to 69, inclusive, agreed to.

On section 70:

Mr. Chairman: The member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman. I have a long amendment here. I hope the House will bear with me while I read the amendment.

Mr. R. F. Nixon: Oh, it is not that long. God, there are six pages.

Interjections by hon. members.

Mr. Foulds: It is okay.

An hon. member: You've only got two members.

Interjections by hon. members.

Mr. Chairman: Order, please. Order. Would the member read the amendment to section 70?

Mr. Foulds moves that on line 1 of section 70, subsection (1) the word "divisional" be deleted after the word "every" and before the word "board," and that in line 3 the word "division" after the word "school" and before the word "and" be deleted and that the word "zone" be substituted therefor.

Mr. Foulds further moves that in line 1 of section 70, subsection (2), the word "division" after the word "a" and before

the word "board" be deleted and that in line 3 the word "divisional" after the word "another" and before the word "or" be deleted, and that in line 5 the word "divisional" after the word "school" and before the word "of" be deleted and that the word "zone" be substituted therefor.

Mr. Foulds further moves that in line 3 of subsection (3) the word "divisional" after the word "the" and before the word "board" be deleted, and that in line 6 the word "division" after the word "school" and before the word "in" be deleted and the word "zone" be substituted therefor.

Mr. Foulds: Thank you, Mr. Chairman.

An hon. member: Good for you. We'll vote on it right now.

Hon. Mr. Grossman: The member is entitled to a little music with that.

Mr. Foulds: Basically what has happened in this section is that you are allowing only public schools to maintain schools for mentally retarded children, by assigning that responsibility to the divisional boards, and divisional boards in the definition section can only be boards of education or public school boards.

By these amendments, I am attempting to give the right to every board that comes under the definition of board within the meaning of the Act. Once again, we made all these arguments in committee outside of the House and I'm not going to repeat them. I just want very briefly—

Mr. R. F. Nixon: Come on, repeat them.

Mr. Foulds: —to touch upon one very real case.

Hon. Mr. Grossman: I'll bet he does.

Mr. J. H. Jessiman (Fort William): Are you reading your Hansard brief? You have only one member of your party with you.

Interjections by hon. members.

Mr. Foulds: Is this your maiden speech?

Mr. Breithaupt: It's a point of personal privilege.

Mr. Jessiman: There is only one member of your party interested. They have all left you.

Mr. Foulds: It's quality, not quantity, that counts.

Mr. Jessiman: Is this something new?

Mr. Chairman: Order, order.

Mr. Foulds: And the minister sometimes wishes he didn't have your support.

Mr. Chairman: Order. The member for Port Arthur has the floor.

Mr. Lewis: It's the longest single contribution the member for Fort William has made in his tenure in the House. You usually confine yourself to monosyllables.

I haven't heard you put two words together. It's really quite an accomplishment.

Mr. Chairman: Order, on behalf of your colleague.

Mr. Lewis: My colleague can get along well, Mr. Chairman.

Mr. Foulds: Thank you, Mr. Chairman.

Mr. Jessiman: Watch your hands.

Mr. Foulds: The Sudbury Catholic Separate School Board, which is larger than the public school board in terms of the population that it serves, has for some time been providing education for mentally retarded children, and the public school board in Sudbury did not duplicate the service but arranged with the separate school board to send children to the classes. But, because of this section of the Act, that whole programme had to be scrapped and devised again.

I submit to you that in this day and age, where the ministry talks about shared facilities, that we should in this instance talk about giving the same rights to the separate school board with regard to Roman Catholic separate school children who, unfortunately, happen to be mentally retarded. I am sure that no separate school board is going to embark on one of these programmes if the service is available and it's more economical to do it in conjunction with another board, because that has not been the experience in the province. It worked well in Sudbury, it worked co-operatively in Sudbury and I would simply like to point out to you that my attempts in this amendment to this section, are simply to substitute the word "board" for "divisional board." If you check on page 2, the definition of "board" is stated to mean "a board of education, public school board, secondary school board, Roman Catholic separate school board, or Protestant separate school board." Thank you, Mr. Chairman.

Mr. B. Newman: I would like to say a few words in support of the member's amendment to the section.

A year or so ago, I believe, I brought this to the attention of the ministry when we were debating one piece of legislation that gave permission only to the public school boards to have programmes for the mentally retarded. At that time I could get no support in the House. I saw the fallacy of assigning it only to one board; I thought it would be right to assign it to either of the boards. I couldn't see duplication of services in a community for a programme such as this.

We support the member's amendment to this section. I only wish that the members of the NDP had paid attention to this when it was brought into the House one year ago.

Hon. Mr. Wells: Mr. Chairman, as I indicated in my remarks a few minutes ago, this is one of the further matters that the minister's advisory committee on special education is studying. We have been asked by the Ontario Separate School Trustees' Association and the Ontario English Catholic Teachers' Association, among other bodies to look into this, and we are currently studying it.

I want to point out to the members that the reason this section reads as it does—and I think I explained this in the estimates—is that historically, when these schools were brought into the new larger units of administration, they were brought into the secondary school panel and they receive secondary school ceilings and grants, one and a half times the regular secondary school per pupil ceiling.

They are administered under the secondary school panel of the boards. Therefore, the Catholic and public school supporters of a community have the full say in the administration of the trainable retarded children's schools where they exist in any jurisdictions and in any of the boards.

The separate school trustees on the board can make motions, second motions, vote on matters and, indeed, they can take full part in running those programmes as they do now. The Roman Catholic ratepayers of any community where there are trainable retarded schools support those schools with their taxes, as do their public school supporters and neighbours. They are in the secondary school panel. That is the situation as it exists at the present time.

Nobody is excluded from the administration or the policy-making of those schools. Nobody is excluded or included exclusively to pay taxes towards them. As I say, the ongoing step could be to provide the Roman Catholic separate school boards with the power in legislation to establish programmes for the retarded under the elementary panel. This is what we are currently having studied by the minister's advisory committee on special education.

Mr. Chairman: It is moved by Mr. Foulds that in line 1 of section 70(1) the word "division" will be deleted after the word "every" and before the word "board" and that in line 3 the word "division" after the word "school" and before the word "and" be deleted and the word "zone" be substituted therefor.

In section 70(2) it is moved by Mr. Foulds that in line 1 the word "division" will be deleted after the word "a" and before the word "board," that in line 3 the word "divisional" after the word "another" and before the word "board" be deleted, and that in line 5 the word "division" after the word "school" and before the word "of" be deleted and the word "zone" be substituted therefor.

In section 70(3) it is moved by Mr. Foulds that in line 3 the word "divisional" after the word "the" and before the word "board" be deleted, and that in line 6 the word "division" after the word "school" and before the word "in" be deleted and the word "zone" be substituted therefor.

All those in favour of the motion—

Hon. Mr. Grossman: Would you please repeat that, Mr. Chairman—the third line?

Mr. Chairman: The third line—which third line?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

Mr. Lewis: Now just let's count them. Look at them—just look at them.

Mr. Chairman: Stack it?

Hon. Mr. Grossman: All right, you made it, fellows—back in the cubbyholes.

Mr. Chairman: Agreed. Stack it.

Any other comments, amendments?

Mr. Foulds: Section 164, Mr. Chairman.

Mr. Chairman: Anything before 164?

Sections 71 to 156, inclusive, agreed to.

On section 157:

Mrs. Campbell: There is an amendment to section 157. This was one which I had drawn to the minister's attention in committee that notwithstanding the fact that we

have a secretariat to ensure that we co-ordinate these things, the Minister of Community and Social Services brought in legislation which was not in accord with the spirit of this Act.

It's really not a matter of an amendment. It is simply that I have now read this amendment quite carefully and it concerns me. It has the effect of saying that a facility or facilities in certain circumstances that come within the definition of community recreation centre under the Community Recreation Centres Act may be considered by the Minister of Community and Social Services as a community recreation centre.

Now, my concern is that his Act definitely states that the municipality must have vested in it the title to the property in order to achieve grants. I would ask the minister if I could have the explanation of his staff as to how—or I'm sorry, the minister himself, if he can do that—how we can overcome in this way what appears to be an ongoing conflict between the two statutes.

Hon. Mr. Wells: I have to tell my hon. friend that actually the first amendment to this section I saw was one much more easily understood by a layman like myself. I'm not a lawyer like the hon. member or the gentlemen that draft legislation around here. But after saying that that seemed to do that job, they came back with this one, which I'm told does exactly the same thing.

In other words, it provides that if a school board and a municipality were to get together and decide to build a community school, part of it—say, enlarging a gymnasium or adding some part of that school that would qualify under the Community Recreation Centres Act—the municipality would be eligible for their part of the grant under the Community Recreation Centres Act. This notwithstanding the fact that that building would be built on school board land and they wouldn't have a lease for that land, but would have an agreement signed between themselves and the school board for the operation and the construction of that facility. The intent of this amendment was that if that agreement took place, it would be deemed to be acceptable under the Community Recreation Centres Act.

Now, as I say, I'm not a lawyer and the lawyers tell me that this does that. Now, my friend is a lawyer, and if she is in doubt about it, I will be glad to have it double-checked again. Because certainly that is what she wants done, and that is what my colleague, the Minister of Community and Social Services wanted done. We wanted in no way to inhibit the development of community recreation facilities or community schools and to put that old bugaboo in that you had to build them on land that you owned, or had a long-term lease for that land owned by the community, only in this case through the school board.

Mrs. Campbell: Mr. Chairman, I understood the purport of it. As I say, I drew the attention of the minister to the dichotomy between the two statutes. All I'm concerned about is that I would say that the Community Recreation Centres Act is the governing legislation. I would have thought that almost the only way we could ensure the end result we are seeking here would be by amendment to that legislation, because if it says you can't do it this way, I don't know how you can say he can consider it this way for our purposes. That's the sum and substance of it.

Mr. Breithaupt: I would think, Mr. Chairman, that the member for St. George makes a good point. It might be worthwhile before we return in January that the minister's advisers could consider whether an amendment to that community centres legislation would be worthwhile in order to make sure that there is no particular problem. I think that if that were looked at, we might then all be quite content.

Hon. Mr. Wells: Certainly that is a desirable thing. As my friends know, the Community Recreations Centres Act had already passed at the time we were discussing this. What we were attempting to do here was to put something into this Act so that we wouldn't inhibit any of these agreements or prevent anything happening until it was possible to put through an amendment to that Act. We'll pursue that also.

I am told that this section was drafted by the chief legislative counsel with the very thoughts that you and I had in mind. I guess we'll have to accept his wisdom in drafting legislation and assume he has done something here that is going to work, and I am sure he has.

Section 157 agreed to.

Mr. Chairman: Anything before section 164? The member for Port Arthur.

On section 164:

Mr. Foulds moves that subsection 1 of section 164 be deleted and the following substituted therefor:

164—(1) A board may pay to each member of the board for each month an allowance as the board itself may determine at the first duly constituted meeting of the board in the current year.

Mr. Foulds: Mr. Chairman, I admit the minister has made a step forward in section 164, but he still has set limits on the allowances that the board may pay to trustees based on the student population, as I understand it—the enrolment. The amendment attemps to give that responsibility to the board itself. No other duly elected board at this level is bound by the terms of an Act such as this. For example, municipal councillors can vote themselves what salaries they wish without a binding limit at the top under the Municipal Act.

Mrs. Campbell: Federal MPs, yes.

Mr. Foulds: Federal MPs, thank you very much, have no such restriction as is on them in this Act, nor do we. The restriction comes from having to account to the electorate. If we are going to talk about local autonomy of school boards, we should give them the responsibility to determine their allowances in whatever manner they see fit. The member for St. George, the member for Windsor-Walkerville and I put these arguments in standing committee. I just briefly state them here and make the motion to give that legal articulation.

Mr. B. Newman: Mr. Chairman, may I just simply endorse the amendment presented by the member? We spoke at length on this in the commitee and I don't intend to make any more comments on it. We think local autonomy should decide whether the board raises the salary or does not raise the salary. However, I would think that in the member's amendment it might have been good to put in some provision for indexing, so that the board wouldn't be responsible for demanding or suggesting substantial increases, such as the federal members of Parliament did the other day.

Mr. Foulds: Just one thing, Mr. Chairman, though. The board, surely, through a bylaw could itself do the indexing, just as the Parliament of Canada can do on indexing for its own members. It's possible anyway.

Mr. Chairman: Does the minister have any comments?

Hon. Mr. Wells: Mr. Chairman, I would have to reject that amendment and stick with the section that's here.

Mr. Chairman: Any further comments?

All those in favour of Mr. Foulds' motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. G. Nixon (Dovercourt): Same old gang.

Mr. Chairman: Stacked.

Any other comments or amendments or resolutions?

Mr. Foulds: Section 225, subsection 3, Mr. Chairman.

Mr. Chairman: Section 225.

Mr. Foulds: Subsection 3.

Mr. Chairman: Subsection 3. Anything before that?

Sections 165 to 224, inclusive, agreed to.

On section 225:

Mr. Foulds: Thank you, Mr. Chairman.

Mr. Foulds moves that subsection 3 of section 225 be amended by adding the following words, "or an occasional teacher teaches more than 20 school days in the school year" in line 1 after the word "teacher" and before the word "is."

Mr. Foulds: Mr. Chairman, the intention of this amendment is simply to give occasional teachers, that is teachers who work as supply teachers for 20 days in the school year, privileges in terms of fringe benefits if they are off duty because of illness.

The clause would then read, so the House understands fully the intention:

> A part-time teacher or an occasional teacher who teaches more than 20 school days is entitled to a salary for 10 per cent of the periods of instruction and supervision specified in the agreement for his employment in any one school year in respect of his absence from duty on account of sickness . . .

And then the clause spells out how the sickness must be certified.

I am doing this simply on this principle, that we should try to ensure fringe benefits for those people who do not work full time just as much as we do for full-time people. The people concerned have to have, according to the terms of the amendment, an agreement of employment with the board. That could be taken care of, and this simply ensures that those fringe benefits that other

teachers are entitled to are also available proportionately to occasional teachers.

Mr. Laughren: The reactionary rump aside.

Mr. B. Newman: Mr. Chairman, I moved such a resolution at the time the committee was hearing comment on this bill in committee room No. 1. It was presented to me by the Federation of Women Teachers. It did make sense and I don't intend to speak any more.

Mr. Chairman: Any further comments.

Hon. Mr. Wells: Mr. Chairman, I think, as the hon. members will recall and as the member for Windsor-Walkerville has stated, at the committee this suggestion was put forward by the Federation of Women Teachers' Associations of Ontario as an amendment.

Mr. Foulds: No, not quite the way I have worded it.

Hon. Mr. Wells: Not quite the way you have worded it, but the sense of it was put forward and the Ontario Teachers' Federation indicated they hadn't unanimity among their members on it. I suggested that it's a matter that should be studied at our ongoing meetings between the teachers' federation and the ministry. We study various legislative amendments on a continuing basis, and this was agreed to by the teachers present. So therefore, Mr. Chairman, I would reject the amendment at this time.

Mr. Foulds: I would just like to point out and put on the record that in fact occasional teachers are often not members of the federation, so that our attempt here is to give some kind of fringe benefit guarantee to what are in effect unorganized teachers.

Hon. Mr. Wells: I appreciate the hon. member's last comments, Mr. Chairman, but I also should indicate that this does have an effect on the school boards of this province. The boards themselves also wish to study this. They have really not had an opportunity to do so.

Mr. Foulds: I am sure they would not have to pay the extra.

Mr. Chairman: All those in favour of Mr. Foulds' motion will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Stacked.

Any other comments?

Mr. Foulds: Section 229.

Mr. Chairman: Anything before 229?

Sections 226 to 228, inclusive, agreed to.

On section 229:

Mr. Foulds moves that clause c of subsection 1 of section 229 be deleted and the following words substituted therefor: "to encourage a high standard of ethical values and behaviour."

Mr. Foulds: Mr. Chairman, at the present time the clause reads:

> It is the duty of the teacher to inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues.

Mr. H. Worton (Wellington South): That would be a good one for the Legislative Assembly Act.

Mr. Roy: Is chastity mentioned in there?

Mr. Foulds: Chastity is not mentioned, no.

Mr. Roy: Saved again.

Mr. Foulds: What I think is somewhat offensive is that in no other legislation do we lay down these kinds of principles for medical doctors, for lawyers, for—

Mr. Roy: We have them.

Mr. Foulds: —architects, for legislators, for what have you.

Mr. Roy: I'll swear to that under oath.

Mr. Foulds: I've seen you slightly intemperate at times, slightly.

Mr. Roy: Oh, yes. But that was moderation.

Mr. Breithaupt: Only under provocation.

Mr. Foulds: Only under provocation, admittedly. But what clause c indicates as it is written is that the teachers should belong to the communion of saints before their time. And I am simply saying to you that that's impossible.

Mr. J. A. Taylor (Prince Edward-Lennox): Your proposition is impossible.

Mr. Foulds: In fact, the section of legislation is unenforceable and it is a bad principle—

Mr. G. Nixon: You're all mixed up.

Mr. Foulds: —in legislation.

Mr. M. Cassidy (Ottawa Centre): You don't know much about the matter.

Mr. Laughren: See the reactionary Tories coming out of the woodwork.

Mr. M. C. Germa (Sudbury): Should apply to the cabinet, too.

Mr. Chairman: Order.

Mr. Laughren: Keep the cabinet out of land speculation.

An hon. member: Why is the member against it?

Mr. Foulds: As a matter of fact, if you had heard my amendment you would understand that I'm not.

Hon. A. K. Meen (Minister of Revenue): Hurry up, you know we're running out of time.

Mr. Foulds: As a matter of fact, I don't have any quarrel with the standards that are enunciated in clause c as it now stands; I personally don't. But I can see that a person who is teaching in our school system in Ontario, and who happens to be a Buddhist or a Moslem or a Hindu and is a citizen of our province, can't abide by this piece of legislation. And it's wrong in principle for us as legislators to put in a piece of legislation that will not be enforced, that is simply unenforceable, because there is no way that those things can be measured.

Mr. R. Haggerty (Welland South): Civil rights will cover that.

Mr. Foulds: When it says "it is the duty of a teacher" to do these things, we as legislators can't in conscience support a piece of legislation that is unenforceable. It's on that basis that I suggest and hope the amendment achieves its purpose, which is to encourage a high standard of ethical values and behaviour. I know that we had some discussion on this in standing committee, and the hon. member for St. George at that point couldn't agree with me because I had the words "personal values." I've changed that to "ethical" in the hopes that that will more clearly spell out the purpose that I had in mind, Mr. Chairman. Thank you.

Mr. Laughren: Unless the Tories are against ethical values.

Mr. Chairman: Any other comments?

The hon. member for St. George

Mrs. Campbell: Mr. Chairman, I have great difficulty with this section as it stands because it is in the Act as a duty. If one looks at what is asked of a teacher, it is not just simply to inculcate by precept, but by example, respect for religion, the principles of Judaeo-Christian morality; the highest regard for truth, justice, loyalty—loyalty to whom I am not sure, because love of country is also included there—humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues.

My view at committee was that I do think parents in this province wish to have some security that these qualities will be inculcated into the student. My suggestion was that it should constitute a preamble to the legislation, but that you could not spell it out by definition as a duty of a teacher.

I don't know how any teacher could measure up to that standard. I don't know how any member of the community could measure up to that standard.

The teachers who were before us asked, for instance, if you are to be judged on your example of frugality in these days, would this mean that it was imprudent or not frugal to carry a mortgage on your home? I don't know what would happen in this day and age if that happened to be the situation.

I find great difficulty in accepting the other wording, because I really don't know how enforceable it would be either. Certainly I would think that one could somehow make objective tests on the question of whether or not a teacher was encouraging a high standard of ethical values and behaviour.

The minister made it clear at the time that we debated this in the committee that he had had some thought of deleting this section and that many parents communicated with him their concern. My view is that when you are passing legislation, when you are putting into legislation a clause such as this, you are really cheating the parents into thinking they have this kind of security, when they don't.

There is precedent under our type of government to incorporate a preamble. I would say that it would seem to me that to incorporate as a preamble that the objectives of education in this province were thus and so, would be to give weight to such objectives, without producing a piece of legislation which is in my view, totally unenforceable.

Thank you, Mr. Chairman.

Mr. B. Newman: Mr. Chairman. I rise to support the amendment to the section. We discussed this at some length in committee, Mr. Chairman. The member for St. George put the case very well. How does one have a teacher teach humanity or benevolence? How does one have a teacher teach frugality or even temperance or sobriety? The teacher who wouldn't, in the estimation of someone, be teaching this would be subject to dismissal. Mr. Chairman, you would really have to dismiss most teachers because you could find faults with practically every one of us.

Mr. Breithaupt: The executive council couldn't have a meeting.

Mr. B. Newman: Mr. Chairman, this clause should be possibly put, as my colleague from St. George made mention—

Hon. Mr. Grossman: They could have a meeting. They just wouldn't take the oath.

Mr. B. Newman: —as a preamble to this bill. If the minister would not put it as a preamble, it maybe should be put as the aims and objectives rather than the duties of a teacher.

Mr. Foulds: By regulation.

Mr. Chairman: Are there any other comments?

Mr. J. Root (Wellington-Dufferin): Mr. Chairman, I want to speak in support of the bill the way it is. I think these are principles that have been guidelines for the development of the fine society that we have.

Mr. Foulds: Guidelines for paupers a few years from now.

Interjections by hon. members.

Mr. Root: I can't see any useful purpose that would be served by weakening the principles that have made this country what it is.

Mr. Breithaupt: You are just kidding yourselves.

Mr. Cassidy: Oh, come on. Your caucus defies them every day.

Mr. Root: We have had many fine teachers and they have had our children for perhaps even more hours a day than their parents. To have these principles—

Mr. Haggerty: What's the view of the minister?

Mr. Root: —followed by example and precept is a good thing. I think if we can get back to some of these precepts, we'll have a lot better society than we will have if we take this out.

Mr. Cassidy: That's pretty hypocritical.

Mr. Lewis: Maybe you could tell us about frugality?

Mr. Chairman: Order, please.

Mr. Root: Yes, I could tell you something about frugality. I've lived on $10 a week and what I grew on the farm. I know a little bit about it. I know what it is to wear the same suit of clothes for 11 years; so I can tell you something about frugality. Is there anything else you want to know?

Mr. Foulds: Is that the one you're wearing now.

An hon. member: You're still wet behind the ears.

Mr. Chairman: Order, please.

Mr. Foulds: You don't even know the difference between frugality and being a cheapskate.

Mr. Root: Mr. Chairman, I just want to say that I think it will be in the interests of the future development of this province to leave this section in the bill.

Mr. Chairman: Are there any further comments?

Mr. Lewis: Develop it is right.

Hon. Mr. Wells: Mr. Chairman, in the course of our over two years' study of this legislation and the consolidation of it, this was one of the subsections that was looked at, as were (a) and (b). I was very interested in trying to find out just exactly where this section had come from. I was not entirely successful, but I imagine it was either written, or at least inspired, by Egerton Ryerson in his days of developing the public school system in this province.

As my colleague who has just spoken has said, it has served this province well for 100 years. It's very easy to make light of this section. It's very easy to suggest it's something that cannot be achieved by anyone in this House, or anyone in fact. It's very easy to say there are no other professions that have any kind of guideline like this. I would say to my friends, if that's the case let's put

some provisions like that in for the other professions. Don't take this out.

If you look at subsections (a), (b) and (c), they're not laws. They are ideals to be achieved. No one has ever said that these were laws that had to be obeyed. These are ideals to be achieved. If I've found out one thing in travelling around this province, it's the fact that the people of this province want some kind of moral value system in our educational system.

Interjections by hon. members.

Hon. Mr. Wells: They want to know that moral values are part of our school curriculum. We have to know that moral values cannot be developed and a moral value system cannot be developed in the school alone. I tell you this—

Interjections by hon. members.

Mr. Chairman: Would the members please keep order while the minister is speaking?

Hon. Mr. Wells: —that the parents of this province want to feel that the teachers and the school system of this province are extending their development of moral values in their own young people. I think this section, Mr. Chairman, that has served us well over many years, if you read it and you read it many times, you will find it's a guidelight that could guide any one of us.

We may not live up to some of the sections, but it does at least give an emphasis on what are some of the moral principles that govern our society.

Mr. Cassidy: You may encourage the law to be flouted.

Hon. Mr. Wells: Mr. Chairman, I don't want to prolong this. We had a long debate on this section in committee. As my friend knows, I'm not prepared to accept his amendment and remove this. As I said, I don't want to be part of any government that removes a section like this that has been in our school law in this province for over 100 years.

Interjection by an hon. member.

Mr. Lewis: There is the anti-education member from Timiskaming.

Mr. Chairman: Order, please. Mr. Foulds moves that section 229(1)(c) be deleted and the following words substituted therefor: "to encourage a high standard of ethical values and behaviour."

All those in favour say "aye."

All those opposed say "nay."

In my opinion the "nays" have it.

Will you stack this?

Mr. Lewis: We are pretending the clock doesn't exist.

An hon. member: Take all day.

Mr. Chairman: Agreed to stacking it?

Agreed.

Mr. Roy: Mr. Chairman—

Mr. Chairman: What section?

Mr. Roy: Section 271—the second last section of the bill.

Mr. Chairman: Is there any other section before 271?

Sections 230 to 270, inclusive, agreed to.

On section 271:

Mr. Roy: Mr. Chairman, the section that I move an amendment to is section 271. I move that after the word "appropriate" in the seventh line of subsection (1), be inserted the—

Mr. Chairman: Subsection (1)?

Mr. Roy: Yes, subsection (1).

An hon. member: Throw him out!

An hon. member: The member for Ottawa East is running off on his own hobby-horse.

Mr. Lewis: You don't make the rules around here.

Interjections by hon. members.

Mr. Roy: Mr. Chairman, can I get some order here or not?

Mr. Chairman: If the members don't wish to come to order at this time, I'll ask the House leader to move the adjournment.

Mr. Lewis: That's very good.

Mr. Stokes: Assert yourself, Mr. Chairman.

An hon. member: Finish it.

Mr. Roy: My amendment, Mr. Chairman, is that you insert the words "which recommendation shall be final and binding unless appealed to the minister."

Mr. Lewis: That is a good motion.

Mr. Roy: Mr. Chairman, the purpose of the amendment relates back to when this commission was created about a year ago. At that time I told the minister that the disputes left in our school board and the language committees across the province are the most difficult areas of the province and that if the commission did not have binding powers it would be a useless exercise.

The first decision that the commission had to make was in Essex, and the commission made recommendations which the school board immediately rejected. On its first attempt to solve a dispute in the area of Windsor the commission was rebuffed. Now it has been rebuffed twice more this week in the area of Elliot Lake, the North Shore Board of Education has refused to accept the recommendation of the commission and recently the London Board of Education has again refused to accept the recommendation of the commission.

Mr. Chairman, as I said to the minister, it is happening exactly as we had predicted. It is not sufficient to give the commission powers only to mediate. They have to be able to make a decision which is going to be binding unless it is appealed to the minister, because we are going through a useless exercise now.

So if you want more evidence it seems to me it's obvious. You've had three occasions to solve a problem and on three occasions the suggestion of the commission has been rejected.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Chairman. I was going to move an amendment too. While we will support the amendment proposed by the member for Ottawa East, and for very much the same reasons, the specific proposal I would have put forward would have been that if, in the opinion of the minister, the board refused to comply with the recommendations of the languages of instruction commission, then on order of the minister the recommendation of the commission would have been binding upon the local school board.

Mr. Roy: I have an amendment to subsection 2.

Mr. Cassidy: The member for Ottawa East says he has another amendment. At any rate, in our view that would simply have put the responsibility on the minister at the political level if the languages of instruction commission was being flouted. But the problem which exists in Essex county and the problems which are cropping up elsewhere indicate very strongly that, as we warned when the languages of instruction commission was first established, an advisory board is not adequate. The steps that lead to it are okay, but at the very final stage you've got to be able to do something tougher than simply make recommendations which will consistently continue to be ignored.

I think that the credibility of the government in relation to the rights of francophones in the province is at stake in the amendment that has been proposed by the member for Ottawa East, or on the amendment that we would have proposed. Because if you don't do something, if the government doesn't ensure that francophone school rights are respected, then the francophones of the province will continue to have to be heroes, as they say, in order to get rights that are automatically assumed to be theirs by the English-speaking population of the province. And that simply isn't good enough.

Why should it be that one of the two official language groups in this province should have to fight at every step? In London they have had to do it, as in Burlington, in Essex and up north, again and again and again. Is it six or seven years since the introduction of French secondary schools in the province? That simply isn't good enough and it indicates that when you get down to the bottom, this government still has reservations in the commitment it has made to francophone educational rights in Ontario.

Mr. Roy: Mr. Chairman, I have two amendments to that section.

Mr. Deans: Mr. Chairman, on a point of order.

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: I am reluctant, because of the difficulties we have had in the past, to see us just simply drift on to 10:45. I am not suggesting for a moment that we are not going to have the vote take place. But I would like, somehow or other, there to be a motion to sit until the vote has been called. Otherwise, some day two weeks from now we'll have it pointed out to us by the government that when it suited our convenience we sat beyond 10:30. And I just don't want it to happen.

Mr. J. A. Taylor: Agreed.

Mr. Deans: You can't sit beyond 10:30 without a motion, so I will move that we sit until such time as the vote has been called.

Interjections by hon. members.

Hon. Mr. Wells: Mr. Chairman, does that not have to be a government motion?

Mr. R. F. Nixon: It doesn't have to be, no.

Mr. Deans: It doesn't have to be.

Mr. Chairman: Yes, I think so.

Mr. Cassidy: As a matter of fact, we can do a better job of the order of business than you do.

Mr. Deans: It doesn't have to be.

Mr. Chairman: Well, I'm told it has to be a government motion. Do you so move?

Hon. Mr. Wells: I so move.

Mr. Chairman: Hon. Mr. Wells moves—

Mr. V. M. Singer (Downsview): Carried by unanimous consent!

Mr. Lewis: What do you mean, "Mr. Wells moves"?

Mr. Deans: I already moved it.

Mr. Cassidy: He doesn't recognize that.

Hon. Mr. Wells moves that the House sit beyond 10:30 o'clock, p.m.

Motion agreed to.

Mr. Roy: Mr. Chairman, I have a second amendment to the same section.

Mr. Roy moves that subsection 2 be deleted and the following substituted therefor:

"Within 30 days after an appeal by either party under subsection 1, the minister shall either affirm, amend or reject the recommendations of the commission."

Mr. Lewis: What you need most in life is a belt.

Mr. Roy: Me?

Mr. T. P. Reid (Rainy River): I could lend him my stomach.

Mr. Roy: I don't need it.

Mr. Deans: Carried.

Mr. Laughren: Carried.

Mr. Roy: I would say this, Mr. Chairman, the purpose of the amendment is to put a fixed deadline on when a decision be made in relation to establishing or accepting the recommendations of the commission. I don't want to repeat what I said in committee, but surely the minister sees the good sense of that type of an amendment? In fact, I think you are going to propose that type of an amendment in about three or four months—you yourself are probably going to have a similar type of amendment in three or four months—because you know that the commission is not working and that it is not accepting the recommendations. In fact, I hear that the commissioners are becoming somewhat disappointed because they feel they are going through a useless exercise. I think you have got quality people on this commission, but if you are going to have them perform a useful function you should put some teeth in their recommendations.

I implore the minister to accept the amendment and at least put some legislation behind what he considers to be his policy towards French-speaking schools in this province.

Hon. Mr. Wells: Mr. Chairman, I would just like to say that there is no lack of commitment on the part of this government—

Mr. Laughren: Oh yes, there is.

Hon. Mr. Wells: —to ensuring the rights of the francophone people of this province to education in the French language.

Mr. Laughren: Why isn't it happening then?

Hon. Mr. Wells: We are doing everything possible to assure that those rights are guaranteed.

Mr. Cassidy: No, you're not.

Mr. Laughren: Oh no, you're not. It's not happening.

Hon. Mr. Wells: I just say to my friends, as I said during the debate on this section, I think it is premature to suggest the kind of amendment that they're suggesting at this time.

Mr. Roy: Premature?

Mr. Cassidy: By 106 years. Is that right?

Mr. Chairman: All those in favour of Mr. Roy's amendment to section 271(1) and section 271(2) please say "aye."

All those opposed please nay "nay."

In my opinion, the "nays" have it.

Mr. Lewis: Okay, let's call in the members and we will vote on them.

Mr. Chairman: All right. This is stacked then. Is there any other section of the bill that anyone wishes to comment on or to amend prior to the vote?

Mr. Cassidy: There are no more sections of the bill, Mr. Chairman.

Sections 272 to 274, inclusive, agreed to.

Mr. Chairman: Call in the members.

There are eight amendments to be voted on.

The committee divided on Mr. Foulds' motion that in section 1(1)(61) the words "Roman Catholic" be deleted after the word "the" and before the word "spouse" in the second last line of the paragraph, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 24; the "nays" are 47.

Mr. Lewis: If there was one more it would be two to one.

Mr. Chairman: I declare the amendment lost and the section shall stand as a part of the bill.

Section 1 agreed to.

Hon. Mr. Winkler: Mr. Chairman, unless there is another question could we use the same vote?

Mr. Chairman: The second amendment is on section 10(7).

Mr. Lewis: On a point of order: It's hard enough to figure one of these votes out as it now stands in our caucus.

Mr. R. F. Nixon: This is the 14-year-old one.

Mr. Lewis: This is the 14-year-old one? Okay. We're with you now, Mr. Chairman.

Mr. Chairman: Order.

The committee divided on Mr. Foulds' motion that section 10(7) be deleted, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 8; the "nays" are 63.

Mr. Chairman: I declare the motion lost and the section will stand as a part of the bill.

Section 10 agreed to.

Hon. W. D. McKeough (Minister of Energy): Mr. Chairman, there are 11 New Democrats here. Are you sure that the count is eight? Are we really sure that it's eight?

Mr. Breithaupt: Mr. Chairman, on the remaining six amendments, we are prepared that they carry without being put individually and that the first vote would stand.

Mr. Chairman: Agreed?

Mr. Lewis: We're not so sure any more, Mr. Chairman. Since the whip rounds up our votes, Mr. Chairman, there is some ambivalence—wasn't that the word you used?

Are we united on all the other votes?

Interjections by hon. members.

Mr. Lewis: Then it's all right, Mr. Chairman.

Hon. Mr. Winkler: If I may, Mr. Chairman, I just want to voice our opinion. We agree with that because we want you to know, and the House to know, that we want unanimity in that caucus.

The committee divided on the balance of the amendments which were negatived on the same vote as that taken on the motion proposing an amendment to section 1.

Mr. Chairman: I declare the amendments lost and the sections will stand as part of the bill.

Sections 70, 164, 225, 229 and 271 agreed to.

Bill 72 reported.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Interjections by hon. members.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment, and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I wonder if the House would give me consent

to revert to reports so we can hear the committee's report on Bill 113.

Agreed.

Mr. Speaker: Presenting reports.

Mr. J. A. Taylor of the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 113, An Act to amend the Municipal Affairs Act.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Hon. Mr. Winkler: Mr. Speaker, tomorrow I would think we would deal first with the bill standing in the name of the Minister of Government Services (Mr. Snow); and then we will proceed to the consideration of some other minor bills in the name of the Treasurer (Mr. White) and the Minister of Transportation and Communications (Mr. Rhodes); and finally the bill in regard to the establishment of the Ministry of Culture and Recreation.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:07 o'clock, p.m.

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No. 162



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Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 20, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

WATER TREATMENT

Hon. W. Newman (Minister of the Environment): Mr. Speaker, over the past few days much has been said and written about water treatment, water contamination and related scientific and medical research. I am pleased to see this public interest in this very important area of environmental protection, because it gives me the opportunity to discuss with the hon. members some activities of which Ontario can be proud.

We are pioneers in environmental protection in this province, particularly with regard to water treatment and water pollution control. I can say, and without fear of contradiction, that there's not a system in the world better than the one we have right here in Ontario.

Mr. R. F. Nixon (Leader of the Opposition): Applause, applause from across there.

Hon. J. W. Snow (Minister of Government Services): Come on, fellas.

Hon. W. Newman: This province established the Ontario Water Resources Commission in 1957 to protect the water we use.

Mr. J. R. Breithaupt (Kitchener): The government has been watching the problem from afar for 30 years.

Mr. R. F. Nixon: We thought the minister was talking about patronage.

Hon. W. G. Davis (Premier): The Liberals are the ones who know all about that.

Hon. Mr. Snow: The experts.

Interjections by hon. members.

Mr. Speaker: Order, please. Could we have the minister's statement?

Mr. R. F. Nixon: The "big blue machine." Does the Premier know what that is? It is a patronage machine.

Hon. Mr. Davis: Whose list in Ottawa is the Leader of the Opposition on?

Hon. W. Newman: We enjoy one-fifth of the world's supply of fresh water here, which imposes a considerable amount of responsibility on us. My predecessors in the OWRC and the Ministry of the Environment have met this obligation well, and I intend to continue this tradition.

At this time, we have 438 water treatment plants serving 307 municipalities in Ontario, and 88 of these plants are owned and operated by the province. Over the past two decades we have built up a substantial wealth of scientific and technical expertise in water protection and water treatment. We have millions invested in scientific equipment and a staff whose knowledge and experience in water pollution control cannot be measured in mere dollars.

Mr. R. F. Nixon: Hurray! Best in the world.

Hon. W. Newman: Four years ago, an $11 million major expansion was planned for our laboratory and research facilities in Rexdale. This expansion is completed and scientific equipment worth about $2.5 million has been delivered to add to our existing facilities. We maintain the most up-to-date research programme possible to protect our water. This is a basic and essential public service.

Mr. M. Shulman (High Park): What about arsenic in the Moira River?

Hon. W. Newman: Our research and analysis programme has been developed to the point where we can detect and measure the most minute trace organic and inorganic elements in water samples. In fact, our ability to measure these elements has outstripped the medical profession's present level of knowledge of their effects, good or bad, on human health.

Mr. J. E. Stokes (Thunder Bay): That is not what they say about asbestos.

Mr. Shulman: How about arsenic?

Hon. W. Newman: This research is continually being applied in our operational programmes, benefiting our treatment plants and municipal plants. But before we apply a new process we make sure all the research and testing on that process is done, and we know the effects of the process.

For example, from time to time we hear critics of chlorination advocating other treatment methods. We have tried the alternatives, from ozone treatment through gamma irradiation.

Ozone treatment has its advocates, but the chlorine method we use has at least two basic advantages. First, we have the experience and expertise to deal with it, and we know how to use it to best advantage.

Mr. R. F. Nixon: Who wrote that for the minister?

Hon. W. Newman: We still have no certain knowledge of all the reactions that can take place between ozone and water and its trace contents.

The other basic advantage of chlorine is its persistence. When you add this element to water, it stays with it. This means it not only purifies the water, it purifies the treatment plant, the mains and the entire distribution through the plumbing and taps of our homes.

Mr. R. F. Nixon: Great. Just great.

Mr. Breithaupt: Sounds like the minister's monthly bulletin.

Hon. W. Newman: Well, those fellows brought it on. Ozone does not persist in water and so can't provide this cleansing action.

Mr. Shulman: And it doesn't produce carcinogens.

Hon. W. Newman: However, we are still investigating this and other methods to maintain our high standard of treatment quality. The care and study we put into water treatment goes into all our water management programmes. I don't think any intelligent person could question that the Great Lakes are around the corner in terms of pollution, and getting better every year.

Ontario, I am proud to say, was the prime mover in getting international action on these lakes under way. We have consistently done our best, with outstanding co-operation from the municipalities, to meet our obligation to clean up the Great Lakes, and we have worked closely with our counterparts in Ottawa, in Washington, and in the Great Lakes states on the total cleanup programme.

Mr. R. F. Nixon: I can get that copied and sent out to all the Tories.

Hon. W. Newman: When I assumed responsibility for this ministry I inherited this and I intend to continue.

I would also like, Mr. Speaker, to quote from a medical report regarding asbestos ingestion, because I think there has been a great deal of concern on the part of the public of this province.

Mr. R. F. Nixon: I understand it is good for you.

Hon. W. Newman: I notice the member for High Park is drinking water this morning. I am pleased to see him doing it.

Mr. Shulman: It is from a distillery; it is okay.

Mr. Breithaupt: We can see through that too, but people can't swallow it.

Hon. Mr. Snow: He usually drinks wine, doesn't he? Imported wine, in fact.

Hon. W. Newman: I would just like to quote briefly from this report, Mr. Speaker:

> Three different laboratories independently investigated the ability of ingested mineral fibres to penetrate tissues in rats. All concluded that there was no evidence of tissue penetration by ingested mineral fibres.

Mr. Breithaupt: What do rats know?

Hon. W. Newman: The report says:

> These experimental observations are supported by the findings in coal and hard rock miners who swallow, during their lifetime, nearly 100 times the amounts of dust that is stored in their lungs. The lymph nodes of these people show no evidence of storage of the ingested dust particles at all. Animals fed asbestos over much of their lifetime and allowed to live to the age of cancer production, failed to provide evidence of a carcinogenic effects.

This research was done by three different universities—one in the US, one in England and one in Scotland.

Hon. A. Grossman (Provincial Secretary for Resources Development): That does it; I go back to water today.

Mr. Speaker: The Minister of Housing.

CONDOMINIUM MORTGAGES

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I wish to refer to my statement of yesterday and correct an address. I was incorrect when I stated that the Morris family purchased their initial unit in Crescent Town and their subsequent units in Crescent Town. The address should have been Flemingdon Woods.

Mr. Speaker: Oral questions.

The Leader of the Opposition.

FOOD PRICES

Mr. R. F. Nixon: I'd like to ask the Premier for some clarification. Is he familiar with the report released yesterday by the federal Food Prices Review Board that indicates that we can expect a further 16 per cent increase in the cost of food in the province? While I do intend to ask some questions of the Minister of Agriculture and Food (Mr. Stewart), can the Premier clearly indicate what machinery we have for the review of these increases as they come along to see that the increases are justified, if they are, to see that there is not undue profiteering at any level between the producer and the consumer, and to see that this increase of 16 per cent, if it does happen—and apparently it will—is going to accrue at least to the primary producers in some way as an improvement in their economic position?

The question is this, really, of the head of the government before I put it to the Minister of Agriculture and Food: What machinery is presently in place to keep these matters at least under public review?

Hon. Mr. Davis: Mr. Speaker, I think that question should be more appropriately directed to the Minister of Agriculture and Food and to the minister, who is unfortunately a little under the weather at the moment, who has this matter within his jurisdiction. In that he is not here, I will endeavour to get an answer from his ministry for the Leader of the Opposition. Perhaps the Minister of Agriculture and Food might have some general observations, with his very great and sincere interest in the primary producers when it comes to food.

Mr. R. F. Nixon: If I might direct the question to the Minister of Agriculture and Food, is it his intention to upgrade the Food Council, which is an arm of the ministry that has been available and in operation for six years now, as the major review body for food prices and particularly to see that between the producer and the consumer there is not an undue level of profiteering and that these reviews can be carried out publicly so that the people concerned, from the producer to the consumer, are not only going to see but going to believe that the force and the authority of the government of this province is going to be involved in such a review?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, we haven't intended to include within the terms of reference of the Food Council a review of all food prices. We have now a federal Food Prices Review Board under the direction of Mrs. Plumptre. We believe that if food prices are going to be reviewed they should be reviewed at the national level, and that has been going on. I think, with few exceptions, the reports that Mrs. Plumptre has submitted—and there are many of them—would indicate that there doesn't appear to be undue profiteering in this particular regard.

I was asked a question a few weeks ago by the member for Scarborough West (Mr. Lewis) concerning markup in beef prices. We did a review over the first 45 weeks of 1974 of five meat outlets in this province which doesn't indicate there is any great increase whatever in the markup between what the outlet pays for the beef and what the retailer sells it for—that is, the consumer purchasing price. I answered the question a day or two ago in the House. That was done by the Food Council. The Food Council are not equipped to get into the field of examining such matters in detail.

But I would point out, Mr. Speaker, with regard to the Ontario Milk Commission, for instance, that every price increase in Ontario on fluid milk goes before the Ontario Milk Commission in that the producer price is worked out with the processors' council and the Ontario Milk Marketing Board then that price has to be ratified by the Milk Commission. There have been times in the past when there have been differences of opinion.

I would suppose that as far as milk is concerned and as far as beef is concerned the share of the consumer's dollar goes directly to the producer in a larger percentage than perhaps any other two commodities that I know of.

With regard to many other commodities that are on the basis of a negotiated price,

the marketing boards having to do with processing fruit and vegetables are just beginning their discussion. They'll continue for the next two or three months.

We will have someone present from the Ontario Farm Products Marketing Board who will be monitoring those discussions on a daily basis. On this board is the president of the Consumers' Association of Canada, Ontario section. Those agreements will be finally resolved, I trust, by early spring.

But I believe people must recognize that if we are going to have the kind of increases in costs to the primary producer now evident, then prices at consumer level are going to have to reflect those increased costs or we are simply not going to have production.

My hon. friend can become quite excited about increased costs at consumer levels. None of us are really anxious to see that happen. But I have to say, Mr. Speaker, that unless those costs are reflected at producer level there is not going to be production—and it is just as simple as that. I firmly believe that food is still the best buy we have in this country as far as consumers are concerned. I stand firmly by that position.

Mr. I. Deans (Wentworth): It is also necessary.

Mr. R. F. Nixon: Supplementary: Quite specifically, since we have had a year of rapidly increasing food costs and the Food Price Review Board predicts a further 16 per cent in the following year, would the minister not think it advisable on behalf of the people of this province to strengthen this review arm? It is presently there and capable of responding, but so far only on an ad hoc basis. There should be capability in the Ministry of Agriculture and Food for a monitoring service upon which the minister can report on a regular basis during next year when the food prices are going to escalate even more rapidly than they have before. Does the minister not agree that this could be done without duplicating what is being done by Mrs. Plumptre's committee, in the area where there is a provincial jurisdiction and where the price increases are going to have impact in Ontario?

Hon. Mr. Stewart: No, Mr. Speaker, I do not share that opinion. I see no reason why the Province of Ontario—

Mr. R. F. Nixon: I believe the minister will reverse that position before 1975 is over.

Hon. Mr. Stewart: We may, we may indeed. At this particular, precise moment in time I just feel that any such review board would simply be a duplication of what's being done at the federal level.

There may be specific instances, where I will, as I did with beef, look into these things. But we have never found in any of these ad hoc looks that we may have taken that there is any undue profiteering. Certainly there are variations. There are variations between stores, and there are variations between commodities week to week and day by day. All one has to do is look at the ads. I reviewed the ads of all the major chain stores that appeared in the paper yesterday.

Mr. R. Haggerty (Welland South): Are there any real bargains?

Hon. Mr. Stewart: Yes, there are some real bargains. Turkeys, for instance, are priced below cost of production; there isn't any question about that.

Now what are we supposed to do? Are we to step into the market and say to the turkey producers and to the consumers: "You've got to increase the price of turkeys to come up to the cost of production"? There is no possible way turkey can be produced at the price it is selling for today in the chain stores of this province. Why doesn't my hon. friend, the Leader of the Opposition, stand up and say: "What are you going to do about turkey prices?" That's the problem right now.

Mr. R. F. Nixon: Well, what is the minister going to do about turkey prices?

Hon. S. B. Handleman (Minister without Portfolio): Buy turkeys.

Mr. Speaker: Order please. The hon. member for Wentworth with a supplementary.

Mr. Deans: It sounds like a turkey farm we are running.

Mr. W. Ferrier (Cochrane South): Is the minister trying to split the Liberal caucus?

Mr. Deans: When the food council conducted it's 42-week—

Hon. Mr. Stewart: I can't hear the hon. member.

Mr. Deans: I don't blame him, I can hardly hear either.

Mr. Speaker: Order please. We can't hear the question.

An hon. member: Speak up.

Mr. Deans: I am having a little trouble this morning.

When the food council conducted its 42-week study or whatever number of weeks it was—into the price of beef and it came to the conclusion there was no difference in the markup, was it talking about constant dollar difference or was it talking about a percentage difference? And when it came to the conclusion there was no difference in the markup over that period of time and yet recognized there was a rapidly escalating cost of beef at the retail level, did it then look beyond that markup to determine why the beef prices had risen as they did?

Hon. Mr. Stewart: No, Mr. Speaker, there has not been a rapidly increasing cost for beef at the retail level. That increase took place in 1973. This past fall until the last two weeks, live cattle and dressed beef by the carcass were selling at a higher price than in late 1973. The problem with my hon. friend is that he doesn't realize that these feeder calf prices and the feeder cattle prices, which are not dressed beef prices at all, bear no reflection to them whatever, are far less than they were a year ago. The finished beef price up until two weeks ago is at a higher price today than it was in 1973. But, strangely enough, the retail prices have maintained almost the same level as in 1973 when we had the consumer boycotts—which resulted, incidentally, in the United States in a drop in per capita consumption of six pounds per person. That means two million less cattle were consumed in the USA.

Mr. Deans: They couldn't afford it.

Hon. Mr. Stewart: This is the whole problem. All right, can the producer afford to produce it at the price that feed is today? They say that the consumer can't afford it?

Mr. Deans: That's exactly what I'm asking the minister.

Hon. Mr. Stewart: Is the member suggesting—and I interpret what he says as suggesting—that the farmer should produce it at less than the cost of production?

Mr. R. F. Nixon: Of course, that is what he always does!

Hon. Mr. Stewart: So the consumer can get it for less than cost of production.

Mr. Speaker: Order, please.

Mr. Deans: I'm suggesting the price of beef went up and there was not study made to determine—

Mr. Speaker: Order, please.

Mr. Deans: The whole thing is that the price of beef went up in 1973 and it did not come down to meet the level.

Mr. Speaker: Order, please.

Mr. Deans: And there was no study made.

Hon. Mr. Stewart: Yes, a study was done, as I indicated.

Mr. Speaker: Order, please, we have spent 10 minutes on this one question. I think that is sufficient. Does the Leader of the Opposition have further questions?

BRADLEY-GEORGETOWN HYDRO CORRIDOR

Mr. R. F. Nixon: I would like to ask the Minister of Energy if he can explain to the House why he gave ministerial approval to the construction of the Bradley-Orangeville-Milton Hydro corridor—it may be also called the Bradley-Georgetown corridor—without releasing the environmental impact studies upon which the approval was to be predicated and without having the open hearings of the type that had been used in the Nanticoke-Pickering decision?

Hon. W. D. McKeough (Minister of Energy): Well, Mr. Speaker, this was thoroughly explained in a very lengthy statement on July 11. I think if the member would go back and read that he would find all the reasons.

Mr. R. F. Nixon: I have looked at it.

Hon. Mr. McKeough: Very basically it was a question of timing. We regretted that the full public process could not be carried through. There were very extensive hearings on the northern route. The northern route, as much as anything I think, can be said was acceptable. The southern route was not acceptable. Ultimately, we ran out of time and, rather than have power locked up at Bruce, it became necessary to make a decision. The decision was made to proceed with the northern route and, for the time being, to forget the southern route and put it into the context of the long-range hearings which will probably be held next year. I think it was fully covered in the July 11 statement.

Mr. R. F. Nixon: Supplementary: Can the minister explain why the environmental impact study is not now readily available? Would it not be possible to conduct the kind of hearing that would permit those people, who are now mounting a very legitimate action of

complaint, to have an opportunity for an open hearing in this regard? Does it really mean that any further delay would imply that the power from the developing Bruce would simply be lost to the rest of the province? Are we at that point of inadequate planning?

Hon. Mr. McKeough: No, we are not at the point of inadequate planning at all.

Mr. R. F. Nixon: Then why can't we have a hearing about it?

Hon. Mr. McKeough: Because we have run out of time. Bruce will be on stream and the first unit will be on stream.

Mr. R. F. Nixon: That's inadequate planning.

Hon. Mr. McKeough: No, it is not inadequate planning. The Leader of the Opposition should just go back and read some of these things, instead of coming blithering in here five months later—

Mr. R. F. Nixon: I read that statement and it was a complete pull-back.

Hon. Mr. McKeough: —and talking about things which—

Mr. R. F. Nixon: The July 11 statement was a complete pull-back on the minister's commitment that there would be a full hearing before the decision was made.

Mr. Speaker: Order please.

Mr. R. F. Nixon: The minister completely reversed himself.

Hon. Mr. McKeough: All I can say is that it has taken the Leader of the Opposition five months to figure that out. If that's his timetable, then he has got a little inadequate planning too.

An hon. member: Let him do his homework.

Mr. R. F. Nixon: All right, the citizens come in here—a supplementary—

Mr. Speaker: All right, one supplementary then.

Mr. R. F. Nixon: I would like the minister to explain to the House and those people who are concerned about it in the areas of Wellington county, particularly, and that have been in to see us and complaining that they are not getting adequate answers from the government, what is he going to do about haveing a hearing to satisfy their feelings that once again the great McKeough is imposing his will on a whole segment of the community?

Mr. Breithaupt: Right—and that is saying something.

Mr. R. F. Nixon: Probably he has done that more than any other minister over there.

Mr. Speaker: Order, please.

Hon. Mr. McKeough: Mr. Speaker, there have been numerous meetings. We have met with those people. The position of the government was laid out on July 11, and I am simply delighted that the Leader of the Opposition has come out of his long summer sleep and is waking up to some things that are going on in this province.

Mr. R. F. Nixon: Yes, we know about the minister—

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): A supplementary—

Mr. R. F. Nixon: He says they blame him for everything. Well, they blame him for this one.

Mr. Speaker: Order, please. The member for Huron-Bruce has the floor.

Mr. Gaunt: A supplementary, Mr. Speaker: Why hasn't the minister considered, as an alternative, the Bruce-Essex line to supply Toronto with power from the Bruce plant, and shouldn't this alternative have a great deal of appeal since Hydro already owns that particular right of way?

Hon. Mr. McKeough: We now know who it is who has been talking with the opposition, but that's fine; be that as it may—

Mr. D. M. Deacon (York Centre): Isn't that legitimate? They wanted to save the government another $100 million.

Hon. Mr. McKeough: —the determination was made, and that was covered in the July 11 statement. I wish the official opposition would get into some of these things at an earlier stage instead of coming along as Johnny-come-latelies.

Mr. R. F. Nixon: Why doesn't the minister answer the question instead of stonewalling?

Interjections by hon. members.

Hon. Mr. McKeough: The question of the Essa corridor—

Interjections by hon. members.

Hon. Mr. McKeough: I am really hurting the opposition this morning, am I not? I am really hurting them.

Interjections by hon. members.

Hon. Mr. McKeough: The Leader of the Opposition has wakened up and is publicly exposed to the fact that he is catching up with something.

Mr. Breithaupt: Is the minister going to punish the person who told us?

Mr. R. F. Nixon: What is he going to do about it?

Hon. Mr. McKeough: They really are something else over there.

Interjections by hon. members.

Hon. Mr. McKeough: I'd like to answer this question, Mr. Speaker, but I am being barracked by people over there.

Interjections by hon. members.

Hon. Mr. McKeough: The matter of the Essa corridor was gone into by Dr. Solandt, something over a year ago—

Mr. R. F. Nixon: Take a national view.

Hon. Mr. McKeough: Dr. Solandt determined that the correct crossing of the escarpment is in the Limehouse area and not the Essa corridor.

The other point that must be added is that as we build more power generation in the north—and I think many people would agree that we should try to build as much of it in the north as we can—it will be necessary to transport that power to southern Ontario, where the greatest load is—

Mr. Deacon: Why?

Mr. R. F. Nixon: Why not try to use more of it up there?

Hon. Mr. McKeough: —and the Essa corridor will be preserved for that use, wherever it can.

Mr. J. Riddell (Huron): A supplementary, Mr. Speaker?

Mr. Speaker: No, I think not. There is too much time being wasted on the supplementaries. We have to give some of the other people a chance to ask questions.

The Leader of the Opposition. A new question.

Interjections by hon. members.

NON-RETURNABLE CONTAINERS

Mr. R. F. Nixon: I'd like to ask the Minister of the Environment if he can justify his rather timid statement yesterday which once again shied away from even holding out hope that the policy of the government eventually is going to be to ban non-returnable containers. How does he square this with the statement made by his predecessor, now the Solicitor General (Mr. Kerr), which was four-square for the acceptance of the policy that eventually throw-away cans and bottles would be banned and would be removed as a blight on our countryside?

Hon. W. Newman: Mr. Speaker, the statement I made yesterday outlined very clearly the policy of the ministry—

Mr. R. F. Nixon: Yes, the very timid policy.

Hon. W. Newman: —and I would just like like to say that I have had many meetings—

Mr. E. R. Good (Waterloo North): That alone will cost the minister his seat.

Hon. W. Newman: Listen, the member is going to lose his, so he shouldn't worry about me.

Mr. R. F. Ruston (Essex-Kent): No way.

Interjections by hon. members.

Hon. W. Newman: Is that all the members opposite do—gamble? I am sorry to hear that.

Mr. Speaker: Order, please.

Mr. T. P. Reid (Rainy River): That's not a gamble; it's a sure thing.

Mr. Breithaupt: The voters are going to change one Newman for another.

Mr. Speaker: Order, please. I wonder if we could continue with the question period in its proper form. The minister is completing his answer.

Hon. W. Newman: Would the members like to hear my answer?

Mr. Ruston: No!

Hon. Mr. McKeough: They bombed twice over there this morning; now they are bombing again.

Hon. W. Newman: Mr. Speaker, I have had many meetings with the manufacturers of both bottles and cans, with the union people, with the glass people, with all those people who are involved—

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. W. Newman: —and certainly I am convinced that they are looking for direction, which they are going to be getting early in January when I will be meeting with them all. We will sit down at the table and discuss what directions we think they should be moving.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: Would the minister not think that we should proceed by way of legislation rather than simply attempting to persuade the industry to follow some sort of a guideline that the minister has enunciated? Surely, as the authority in the province in this particular area, we ought to establish what we are going to do and then, by legislation, require the industry to conform. How can he expect to accomplish even this persuasive goal without a timetable that is significant?

Mr. Stokes: Why doesn't he lead for a change?

Hon. W. Newman: Mr. Speaker, it is all very well to say "legislate it." Sometimes I get a little tired of too much legislation. If it can be done without legislating it, why not do it that way?

Mr. R. F. Nixon: He's been Mickey Mousing around here all fall.

Hon. W. Newman: I also said, Mr. Speaker, I would be meeting with all the people concerned in the industry early in the year, and I did accept 14 of the 16 recommendations of the solid waste task force.

Mr. Shulman: Supplementary.

Mr. Speaker: One supplementary and then we will move to the next questioner.

Mr. Shulman: Does the minister not think that instead of espousing the policy of the industry he should espouse the policy of the government and the people?

Hon. W. Newman: Mr. Speaker, that is exactly what I said I was going to be doing early in the year.

Mr. Shulman: He is very slow.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. Stokes: Brace yourself.

Mr. R. F. Nixon: Santa Claus has lost weight.

NOISE REGULATIONS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of the Environment about noise pollution: When will he make available to Ontario municipalities his model noise bylaw—

An hon. member: Before the end of November.

Mr. Burr: —which is all that is left of the years of noise legislation promises ever since the time of the present Solicitor General?

Hon. Mr. Grossman: That is editorializing.

Hon. Mr. Newman: Mr. Speaker, I knew I shouldn't have come in the House this morning. I do have two model noise bylaws.

Mr. Breithaupt: A and B.

Hon. W. Newman: I did have them ready by the end of November but I am not convinced that the Ontario Municipal Act has enough authority to really make them effective.

Mr. Haggerty: We told him so.

Hon. W. Newman: I am not sure that it has, so I have asked our legal people to draft this—

Mr. Good: Right back to square one.

Mr. Speaker: The minister is answering the question. Let's have fewer interjections.

Hon. Mr. Newman: I have asked our legal staff to draw up an amendment to the Environment Protection Act, which they are working on right now, and I would hope that I would be able to bring that in in January when we come in. I have the model noise bylaws but I don't think they would be that effective without the necessary backup legislation.

Mr. Good: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Waterloo North with a supplementary.

Mr. Good: Now that the minister has refused to proceed with regulations under the Environmental Protection Act to control noise and now that he says that his model noise bylaws are inadequate, that means the Province of Ontario is completely—

Mr. Speaker: Your question?

Mr. Good: —without noise bylaws. Is that correct?

Hon. W. Newman: Mr. Speaker, as usual, the member is really all wet this morning. I wish he would get his facts straight.

Interjections by hon. members.

Mr. Reid: My hearing is going.

Hon. W. Newman: Some municipalities have legislation by private bill, and we don't want to destroy what they are doing. As I said, I had two model noise bylaws but I don't want to get into the municipalities and say, "Here they are, go ahead and pass them" —because that's what they could do. I want to make sure there are enough teeth to back up those bylaws so they can do a more effective job.

Mr. Speaker: The member for Sandwich-Riverside.

USE OF ASBESTOS IN PUBLIC PLACES

Mr. Burr: Mr. Speaker, a question of the Minister of the Environment: When will the minister let me know whether asbestos is actually being used to control or counteract ice—

Interjections by hon. members.

Hon. W. Newman: Mr. Speaker, I am sorry, with all the noise I didn't hear that question.

Mr. Speaker: I had difficulty hearing it, too. Could we have less noise in the chamber, please?

Mr. G. Nixon (Dovercourt): Order, please.

Hon. Mr. Grossman: 'Tis the season to be jolly.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. Burr: When will the minister let me know whether asbestos is actually being used to control or counteract ice on roads in Ontario, as he undertook to do during the estimates on Oct. 24?

Hon. W. Newman: Mr. Speaker, I thought I pretty well answered all the questions that came up in estimates. If I have missed one, I am sorry. As far as using asbestos in the salt on the roads, I really think that question could be more directly put to the Minister of Transportation and Communications (Mr. Rhodes).

Mr. Stokes: Ask Dusty Rhodes there.

AIR POLLUTION CONTROL STANDARDS

Mr. Burr: I have another question of the Minister of the Environment: When is the minister introducing legislation to prevent air pollution—especially asbestos air pollution—during demolition of buildings, as he undertook to do on Oct. 24?

Hon. W. Newman: Mr. Speaker, I believe if you check, we have already passed regulations controlling dust and things on demolition. I think the regulations have already been passed; I can't tell you the exact date.

Mr. Burr: It must have been done very noiselessly.

Hon. W. Newman: Very noiselessly.

Hon. Mr. Davis: Well, he is opposed to noise.

ASBESTOS SPRAYING CONTROLS

Mr. Burr: Mr. Speaker, another question of the minister: When will he send me a report on the question of whether the spraying of asbestos is still allowed in Ontario, and if so, what precautions are taken to keep the asbestos dust out of the air in the vicinity—as he undertook to do in the estimates of Oct. 24?

Hon. W. Newman: I believe, Mr. Speaker, there are certain controls that are necessary when spraying asbestos. Is the member talking about insulation? There are certain controls. As a matter of fact, I believe we just charged somebody the other day for not effectively keeping it under control when he was doing some spraying.

Mr. Burr: When am I going to get the answers that were promised to me?

Hon. W. Newman: I thought the member had most of his answers; but certainly—

Mr. Stokes: But the minister was wrong, obviously. Give him the answers.

Hon. W. Newman: We have nothing to hide in this ministry; we always give answers. We don't have any secret reports or draft reports. We don't hide anything here.

Mr. Ferrier: Why doesn't the minister send him the answers, then?

Hon. W. Newman: If I've taken on an obligation to answer any questions, then he will certainly get some answers.

Mr. Breithaupt: In the fullness of time.

Interjections by hon. members.

Mr. Speaker: Order, please. A supplementary.

Mr. J. F. Foulds (Port Arthur): Supplementary: Can the minister give us more details about the case that he just mentioned? Where is the charge being laid; under what conditions and under what regulations?

Hon. W. Newman: I certainly can't give details on it right now, because I didn't have time to check it out this morning before I came to the House. But certainly I will get them.

Mr. Foulds: Doesn't the minister know what is going on in his ministry?

Hon. W. Newman: I certainly do. A lot more than the member does; that's for sure!

Hon. J. R. Rhodes (Minister of Transportation and Communications): Come on; the member doesn't know what is going on in Thunder Bay.

Mr. Breithaupt: The minister sure knows how to hurt a fellow.

Mr. Shulman: Supplementary.

Mr. Speaker: A supplementary, the hon. member for High Park.

Mr. Shulman: Will the minister agree that Dr. Selikoff is the outstanding expert on this problem involving this question of asbestos as a relation to human ills? And has the minister read the report made last week by Dr. Selikoff to the US Senate on this very problem, on which I'm sure he's up to date?

Hon. W. Newman: Mr. Speaker, is the member asking me about the inhalation of asbestos or the ingestion of asbestos?

Mr. Shulman: The inhalation and the ingestion.

Hon. W. Newman: I have already covered the ingestion part, which comes under the Ministry of the Environment. If the member wants to talk about inhalation—

Mr. Ferrier: Did the minister read the book?

Hon. W. Newman: —I guess that really comes under the Minister of Health (Mr. Miller), as far as I know. Is that right?

Mr. Shulman: Mr. Speaker, the question I asked the minister—I guess he couldn't hear because of the noise—was: Has he read the report?

Hon. W. Newman: I have talked to my people, and they have read all these reports.

Mr. Foulds: Can the minister read?

Hon. W. Newman: I have read some of them myself. The member makes a joke about it. He is playing around with people's lives. He gets people upset because he is not willing to listen to proper scientific data. I think it's terrible what he does to the people of this province just to get himself in the headlines. I think it's terrible!

Interjections by hon. members.

Mr. Speaker: Order, please. It seems to me that this is developing into a debate. The hon. member for Sandwich-Riverside has further questions.

An hon. member: The member for High Park should sit down.

Mr. Shulman: Mr. Speaker, surely I am entitled—

An hon. member: Sit down.

Mr. Shulman: On a question of privilege, Mr. Speaker. Calm, gentlemen, calm; it's Christmas.

Mr. Speaker: You may state your question of privilege.

Interjections by hon. members.

Mr. E. M. Havrot (Timiskaming): Can't hear him. Can't hear him.

Mr. Speaker: Order please.

Mr. Shulman: On a question of privilege, Mr. Speaker, the minister has accused me of playing with people's lives. I wish to refute that. What I have done is reveal the facts. He is playing with the lives of the people of this province by concealing the facts; ignoring the facts—and not releasing the data available to him.

Mr. Speaker: Order please. There seems to be a difference of opinion. I don't think it's a matter of personal privilege; it's a difference of opinion. The hon. member for Sandwich-Riverside has a further question.

ASBESTOS IN DRINKING WATER

Mr. Burr: Mr. Speaker, a question of the Minister of Health about the possible harm from asbestos-contaminated drinking water: Are there any plans to ask pathologists engaged in performing autopsies to look for accumulations of and possible damage from asbestos that has entered the body as the contaminant of drinking water?

Mr. Deans: Where's the minister's bow tie?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I would think it's almost presumptuous of me to need to tell trained pathologists what to look for in examining human bodies.

Mr. Burr: I said "ask."

Hon. Mr. Miller: I would be quite happy to suggest they look for signs of any such troubles. But the fact that seems to have been lost in the discussions in the last few days, which have tended to become emotional, are these, that a study by international teams in 1972, convened in Lyons, France, did state they have no indication of gastro-intestinal cancer due to asbestos in drinking water.

Intensive tests in laboratories, giving animals water containing large quantities of asbestos, have proven no indication of it being a carcinogen. Statistical analyses of the frequency of gastro-intestinal cancer in Duluth, Minn., which I believe is the city with the highest level of water containing asbestos in North America, run in parallel with a neighbouring city that did not have the problem—

Mr. Shulman: No, wrong.

Hon. Mr. Miller: I don't know that it is wrong, I am only told that it is right. That makes the difference between us. I at least will be willing to go back and consider that maybe it is wrong, that is always a possibility with data that comes from scientists The Duluth analysis showed no correlated difference in those two factors.

Mr. Shulman: I will give the minister the paper immediately.

Hon. Mr. Miller: Thirdly, in the Province of Ontario, in the last 30 years, the occurrence of gastro-intestinal cancer has dropped in males by roughly 25 per cent.

Mr. Speaker: Any further questions.

Mr. Burr: As a supplementary, is the minister aware I put this identical question on the order paper in the spring of 1972?

The answer that came on June 20 from the then Minister of the Environment, probably through the Minister of Health's department, said:

> Pending the results of experiments on animals, pathologists engaged in performing autopsies are not yet being asked to search more diligently than they are already doing for accumulation of and possible damage caused by asbestos that has entered the body via the drinking water.

I asked the minister whether he would ask pathologists to do it; not tell them, just ask them.

Hon. Mr. Miller: I said it is presumptuous of me, because I hoped that pathologists would do it. Let me say this: I have a great scepticism of any statement that says categorically there is no problem, or categorically there is a problem, until we are more sure of our facts. I would be glad to see us keeping an open stance in any investigations at any level, to determine whether the risk is real or not. If this involves a voluntary request to pathologists to keep their eyes open, certainly I would endorse it.

Mr. Burr: Thank you very much, Mr. Speaker.

Mr. Speaker: Any further questions?

NATURAL GAS FLARES

Mr. Burr: I have a question of the Minister of Energy about the natural gas which has flared or burned in the open air at producing oil fields. Does the minister know how much natural gas is wasted in Canada annually in this way?

Hon. Mr. McKeough: No, but I would suspect the amount is very small.

Hon. Mr. Stewart: He has it all written out.

Mr. Breithaupt: Everybody else was at the party last night.

Mr. Burr: Supplementary: Inasmuch as the United States Department of Commerce in a recent press release—

Mr. Speaker: Order please. Is this a question now, or another rebuttal?

Mr. Burr: This is a supplementary.

Mr. Speaker: The last one wasn't.

Hon. Mr. Davis: Extraneous supplementary.

Mr. F. Young (Yorkview): He has the right to ask a new question if he wants to.

Mr. Burr: Well, you can call it a new question, but it is related to this answer, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: Let me point out, please, that these question periods are getting a little off course. The last supplementary was really a rebuttal of the minister's statement, and really this is not the time for debate. If you have a supplementary question, fine.

Mr. Burr: Mr. Speaker, just a point of order, I asked the Minister of Energy a question. He said the answer was "very little." Now I am asking him a supplementary.

Mr. Speaker: What you had started to say didn't appear supplementary. That's why I ask is it a supplementary or another rebuttal?

Mr. Burr: Yes, it is a supplementary.

Mr. Speaker: Now we are wasting time.

Mr. Burr: Of course, Mr. Speaker, I wouldn't dream of asking anything else.

Mr. Foulds: The two are not mutually exclusive, Mr. Speaker.

Mr. Burr: Inasmuch as the United States Department of Commerce in a recent press release, said that three per cent of the world's energy production is being wasted in this way, would the minister make some representations to prevent this destruction of our irreplaceable, unrenewable source of energy?

Hon. Mr. McKeough: Mr. Speaker, the member asked about Canada and I said I thought the answer would be very little. What the member is asking on a supplementary, apparently concerns the world. I wouldn't be surprised if it was higher than three per cent of the world's energy. There is a great deal of gas in the Middle East, where it is not economic and where what is wanted out of the ground is the oil, and there is no economic use, as yet, for great quantities of that gas. A day may come when LNGs are economic, but they do not appear to be at this moment in time.

Mr. Burr: Mr. Speaker, a supplementary: The economics of the matter are not involved. With an unrenewable resource, if we are going to waste the energy—

Mr. Breithaupt: Wearing them down.

Mr. Speaker: Order; order please. That's not a supplementary question, as I was pointing out to the member before.

Hon. Mr. McKeough: Mr. Speaker, I would have to answer that supplementary and say it does not surprise me that a member of that party thinks the economics are unimportant.

Mr. Speaker: Order please. May I point out that the two leadoff questioners have taken an undue length of time this morning and there are many other people who want to ask questions?

Hon. Mr. Davis: They certainly have.

Mr. Speaker: I think we will move on to the next question. The Minister of Labour has an answer to a question.

FEDERAL BANKRUPTCY STUDY

Hon. J. P. MacBeth: (Minister of Labour): Mr. Speaker, I believe I have located the study which the member for Scarborough West referred to on Dec. 16. It was prepared by the legislative research branch of Labour Canada, is entitled: "Wage Protection: Collection of Wages; Priority of the Wage Claim; Securing the Wage Claim," and was circulated for comment and criticism in the summer of 1973.

The director of the employment services division has held meetings with representatives from the UIC, the Ministry of Consumer and Corporate Affairs and the federal Ministry of Labour to discuss the possibility of changes to the Bankruptcy Act, as well

as the possibility of an insurance scheme that would guarantee workers' wages. The latest information is that the UIC expects to be able to release the results of its study shortly.

The report is rather a voluminous one. I have one copy which is available for any one wishing to review it. Of course, when recommendations arise from this working paper, these will be brought to the attention of the House.

The member for Scarborough West is not here but I'll see that he gets this, Mr. Speaker.

Mr. Speaker: The member for Huron.

LOCATION OF HYDRO STATIONS

Mr. Riddell: Thank you, Mr. Speaker. I was wondering if the Minister of Energy could tell me whether Ontario Hydro has purchased land in the Varna area, south of Goderich, for the construction of a generating station? Is Ontario Hydro not violating its own principle by establishing generating stations so far removed from the major load centres?

Hon. Mr. McKeough: The answer to the first question is, to my knowledge, no.

Mr. Gaunt: What about the second one?

Mr. Deacon: What about the second one?

Hon. Mr. McKeough: It's hypothetical.

Hon. Mr. Davis: Did the member for York Centre hear the question?

Mr. Speaker: The member for Sudbury.

SUNDAY TRUCKING OPERATIONS

Mr. M. C. Germa (Sudbury): Mr. Speaker, I have a question of the Minister of Transportation and Communications. Now that the federal appeals court has ruled against his application to overturn the decision of the CTC to allow Sunday trucking, when is he going to back up his brave words with some legislation to contain Sunday trucking in Ontario?

Mr. Foulds: That's a good question.

Hon. Mr. Rhodes: Mr. Speaker, I think I've said very clearly that I intend to go ahead and prepare the necessary legislation to back up what we have said. I think the words aren't necessarily brave. They were simply a statement of the fact that we did not want the trucks on the highways on Sundays and we'll get the necessary legislation to control it in the Province of Ontario.

Mr. Stokes: When?

Hon. Mr. Rhodes: If the CTC cannot see the importance of what we are trying to do here, then we'll have to go about it in our own way in our own province. But I do want to point out that we have been having a great deal of co-operation from the trucking industry as well. They want to cooperate with us to get trucks off the highways on Sundays.

Mr. Speaker: The Solicitor General has an answer to a question.

REVOLUTIONARY PAMPHLETS

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, on Dec. 3 the Leader of the Opposition asked whether or not there was any control over the importation of the sort of printed material seized from a juvenile in Orillia who had been experimenting with explosives. Any control over the importation of this sort of material comes under the Customs Tariff Act, a federal statute which has appended to it several schedules, one of which outlines goods prohibited from import.

Among the articles seized during the investigation was a catalogue from an American publishing house located in Ohio that deals extensively in books and materials on weaponry, guerilla tactics, bombs and incendiary devices. Most of the material seized or surrendered during the investigation in Orillia are listed in this catalogue. One of the titles advertised is prohibited under the Customs Tariff Act.

All the printed material seized was printed or published in the United States. I'm informed, Mr. Speaker, that the titles of the publications surrendered and seized have been forwarded to the security services of the RCMP here for review and to see if further action is warranted.

As a result of the Orillia police department's investigation, four charges have been laid against juveniles for possession of explosives without lawful excuse under the Criminal Code. Another person near Orillia has also been charged with improper storage and security of explosives under the Explosives Act. More recently, eight charges

have been laid against five juvenille arising out of incidents involving smoke bombs, also in Orillia.

Mr. Speaker: The hon. member for Welland South.

NON-PAYMENT OF EMPLOYEES

Mr. Haggerty: Thank you, Mr. Speaker, I'd like to direct a question to the Minister of Labour. What steps, if any, has his ministry taken to stop the fraudulent practice carried on in Ontario by a group for a syndicate operator, whose business originates in United States and who has been operating a business in Ontario called, "FigurMagic, Today's Woman" and now called "Body Magic," who through unscrupulous operations have failed to provide wages for employees?

Hon. Mr. MacBeth: Mr. Speaker, the member sent me a copy of the question and I appreciate him doing so. I also have a telegram from the union in Port Colborne, the United Steelworkers of America, raising the same question.

My ministry is well aware of this problem, as is the Ministry of Consumer and Commercial Affairs. We've done our best to try and get after these people, but they hide behind the corporate veil and there is very little we have been able to do to date. However, I would like to draw the member's attention to section 60(1) of the Employment Standards Act which is awaiting third reading of this House. That is the instrument we hope to be able to use to pursue the employers rather than the company itself; that is we can now get after the individual person as opposed to the company. It is section 60(1) that I refer the member to. With that added weapon in our arsenal, I think we will be successful.

Mr. Speaker: The hon. member for Nickel Belt.

UNIVERSITY OF TORONTO ACT

Mr. F. Laughren (Nickel Belt): Mr. Speaker, I have a question of the Minister of Colleges and Universities. In view of the fact that the University of Toronto Act requires that it be brought before this chamber by July 1, 1974, when does the minister intend to do that?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, my recollection of the Act says the report of the committee was to be submitted to the minister by July or sometime last summer, and that the minister then will place it before the Lieutenant Governor in Council and decide what to do with it.

Mr. Laughren: Mr. Speaker, supplementary question: When does the minister intend to do that?

Hon. Mr. Auld: Mr. Speaker, as soon as I've gone through the rest of the process. As a matter of fact, in five minutes I'm meeting some of the student federation about it.

Mr. Speaker: The hon. member for Rainy River.

REPORT OF DOG FOOD FED TO CHILDREN

Mr. Reid: Mr. Speaker, I was almost worn out getting up here.

Mr. Speaker, I have a question of the Minister of Health relating to the Metro Family Service Association report on families feeding their children dog food—a sad commentary on our society, I would think. In view of the fact there is probably no immediate remedy for this, will the minister at the very least make a statement concerning the ill effect and the danger to health of people eating this kind of food?

Hon. Mr. Miller: Mr. Speaker, I want to get some facts before I make any statements, either to reassure or to confirm that a state of affairs like that does exist.

Mr. Reid: Even if one person does it, can't the minister say that it is a hazard to health?

Hon. Mr. Miller: I would like to know that for sure before I make that statement.

Mr. Speaker: The hon. member for Port Arthur.

THUNDER BAY STUDY

Mr. Foulds: Thank you, Mr. Speaker. I have a question of the Treasurer. Is the final version of the phase 1 study for the Thunder Bay industrial complex commissioned by his ministry with the consultants, Proctor, Redfern and C. D. Howe Engineering finalized yet? Is he willing to make the copies available to the people in the area?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Apparently not, because I haven't seen it. I'll have to get a report for the member.

Mr. Speaker: The hon. member for Huron Bruce.

BRADLEY-GEORGETOWN HYDRO CORRIDOR

Mr. Gaunt: Mr. Speaker I have a question of the Minister of Energy. When did the minister say he was going to release the environmental impact study with respect to the Bradley-Orangeville-Milton Hydro corridor?

Hon. Mr. McKeough: I'm not releasing it; Ontario Hydro is. I thought it had been released now. I think there are two versions, a big one and a smaller one, in many colours. If it hasn't been released, it's to be released any day. I think it's simply a question of getting enough copies, and I believe they are sending out something like 2,000.

Mr. Breithaupt: There is no holdup?

Hon. Mr. McKeough: There is no holdup as far as I know. I thought it had gone, but if it hasn't it will be any day now. I'll find out.

Mr. Speaker: The oral question period has expired.

Petitions.

Hon. Mr. Davis: Mr. Speaker, before we go any further, may I just interrupt the proceedings of the House very briefly to comment upon the amendments to the Legislative Assembly Act, which will be called very shortly and which I assume will receive everybody's endorsation? It just came to mind that it deals with the position of the Clerk of the House.

It will be 20 years ago, on Jan. 1, that the present Clerk of the House was appointed to that position and also as chief electoral officer. I would just like to say to him, on behalf of all of us, on what is very close to the 20th anniversary, just how much we all appreciate the task that he has done—the quiet advice that from time to time, Mr. Speaker, he passes on to you, sir; and of course his many other responsibilities.

I shouldn't divulge this, of course, but it's a matter of public record that when the present Clerk was appointed in 1955 there was, for the combined responsibilities, a salary of $5,700 per annum.

Mr. Breithaupt: It should be at least $6,000 now.

Mr. R. F. Nixon: Mr. Speaker, I just want to join with the Premier in offering our best wishes and congratulations to the Clerk. I can recall sitting up there somewhere as a boy and seeing his father in the same chair, and perhaps meeting him at that time as well.

It has also been suggested that if there is somebody in this province who would appreciate an anti-noise law it's probably the gentleman right here.

Mr. Deans: Mr. Speaker, I just want to add the congratulations of the New Democratic Party to the Clerk. We occasionally disagree, but we recognize the tremendous service he has put forth on behalf of the Province of Ontario and on behalf of the members of the Legislature. I congratulate him.

Mr. Breithaupt: I think his salary should go to $6,000.

Hon. Mr. Rhodes: That is inflationary. The member is starting to sound like his colleague in Ottawa.

Mr. Speaker: The Board of Internal Economy may look after that.

Presenting reports.

Hon. Mr. White presented the report of the Ontario Education Capital Aid Corp. for the year ended March 31, 1974, and the Ontario Municipal Improvement Corp. for the same period.

Mr. Speaker: Motions.

Hon. Mr. Winkler moves that when the House adjourns today it stand adjourned until a date to be named by the Lieutenant Governor by her proclamation.

Mr. Speaker: Shall this motion carry?

Mr. Breithaupt: Mr. Speaker, before the motion is put, I think it is certainly of interest to the members to follow through on the earlier comments by the Premier that we would expect to be returning in January. Is it not possible at this time to advise us as to whether it will be likely in the second or third week? Presumably a session might go for two or three weeks or perhaps even

longer, but surely it would be a great convenience to the members if we had some idea as to the likely starting date.

Hon. Mr. Davis: Mr. Speaker, I am delighted to give the hon. members as much information on this as I can. It would be my hope that the House would not reconvene for the first two weeks of January, in any event, so that those members who are planning work in their constituencies and other matters of urgent public importance can have that sort of guidance. I can't guarantee that, of course, but I would think we would be relatively safe in assuming it would not be the first two weeks in January.

While I am on my feet, Mr. Speaker, just in case some have other important commitments before the House does adjourn later on today, I recognize we have very heated discussions here from time to time and, Mr. Speaker, a shade noisy, as was observed earlier. In spite of that, I would say that we do accomplish a great deal during the discussions in this House.

We on the government side, are always appreciative of the constructive criticisms emanating from the opposition—I have to say that sometimes they aren't totally constructive. But I would like to take this opportunity to—and I regret the member for Ottawa East (Mr. Roy) is not here because I wanted to extend very personally to all members of the House the very best wishes for a joyeux Noel; or for those members who aren't familiar with that, in another basic language of this country now, buon Natale—

Mr. M. Cassidy (Ottawa Centre): What is that, Yiddish?

Hon. Mr. Grossman: Happy Chanukah.

Hon. Mr. Davis: The Provincial Secretary for Resources Development will add his greetings in Hebrew or Yiddish, but a very merry Christmas to all of you.

Mr. Speaker: Shall Mr. Winkler's motion carry?

Motion agreed to.

Mr. Speaker: Introduction of bills.

MUNICIPAL ELECTIONS ACT

Mr. Bounsall moves first reading of bill intituled, An Act to amend the Municipal Elections Act 1974.

Motion agreed to; first reading of the bill.

Mr. E. J. Bounsall (Windsor West): Mr. Speaker, this bill proposes the postponement of polling day for municipal elections by one week in the case of emergencies, such as arose in the Windsor-Essex county area on the last municipal polling day, after notifying the minister concerned.

It also shifts polling day to the first Sunday in November with the council to take office Dec. 1; and allows council to initiate an official inquiry before a county or district court judge into election practices, rather than the present situation where a writ must be issued, often by a private person.

Hon. Mr. Kerr: His colleague from Cochrane South is going to vote against him.

Mr. Speaker: Introduction of bills.

Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 72, the Education Act, 1974.

Bill 113, An Act to amend the Municipal Affairs Act.

Bill 134, the Employment Standards Act, 1974.

Clerk of the House: The 12th order, resuming the adjourned debate on the motion for second reading of Bill 170, An Act to amend the Legislative Assembly Act.

LEGISLATIVE ASSEMBLY ACT
(concluded)

Mr. Speaker: The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Mr. Speaker, I believe I adjourned the debate on this bill last week.

Mr. J. R. Breithaupt (Kitchener): I have just one point to raise, if I might.

Mr. Speaker: Yes, will the member defer to the member for Kitchener?

Mr. Laughren: Yes.

Mr. Breithaupt: The bill is now reprinted and I presume that our comments and our remarks are to be taken on the assumption that the bill, as reprinted, is the one with which we are to deal.

Mr. Speaker: Is that understood? Agreed?

Agreed.

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, since the last debate we had on this bill, I have given consideration to many of the suggestions made by the hon. members. The bill has been reprinted, including these revisions, and when we go into committee I will be moving the amendments that are included in the reprinted bill.

Mr. Speaker: Is this agreed by the assembly?

Agreed.

Mr. Breithaupt: Mr. Speaker, I think we can take the amendments in the bill as reprinted without them having to be separately moved.

Hon. Mr. Snow: Mr. Speaker, that's the motion I will be making, that the bill as reprinted be considered in committee, but I also remember certain instances in this House when that was not acceptable, so I have all the individual revisions ready if the hon. members want them moved separately.

Mr. Speaker: The hon. member for Nickel Belt.

Mr. Laughren: Thank you, Mr. Speaker, I should commend the minister for bringing in those amendments. I think that they are a move in the right direction, and I am pleased that he listened to the opposition and changed the bill.

I just want to conclude very quickly my remarks dealing with the whole question of constituency offices for provincial members. I think the presence of federal constituency offices across the whole country is proving a point, that it allows elected members to be closer to their constitutents and to better serve their constituents.

I believe that if a member of this chamber does not wish to have a constituency office, that's fine; let him go his own merry way. But there are those of us who come from a long way from Toronto, who in some cases represent very large and spread-out ridings, and it would be a tremendous asset to the people in our ridings if there were constituency offices funded by the Province of Ontario.

It's not as though all ridings were the same. I have felt for some time that there are certain ridings in the province which are more difficult to serve than others. Now I know it's very difficult not to be parochial in a discussion like this, but I would suspect that the three elected members from the Sudbury basin, for example, have an unduly heavy constituency case load because of the nature of the work force in the Sudbury area. Obviously, we have a mining community and there are a great many problems in the community in terms of workmen's compensation, for example. I dare say that all three of us could work full time solely on workmen's compensation problems without dealing with the business of this House at all. Of course, that's a sad commentary on the delivery of service to the people.

I suspect, too, that in a community such as that, and in other northern communities, people will turn more readily to their member than those in southern Ontario. I suspect as well that constituents of Don Mills, York South or York North, for example, don't have the kind of problems experienced by constituents in the more northern, more remote communities. That in itself is one reason that I think there should be constituency offices for members who would like to have them, and I don't think they would be an undue expense or drain on the public purse.

I think that all the people in Ontario would be better served if there were constituency offices. Thank you, Mr. Speaker.

Mr. Speaker: Does any other member wish to speak to this bill?

The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I realize that pursuant to rule 20 of the rules of this House I would not be able to vote on this bill, but I trust I will be able at least to make a few comments with respect to some of the changes which are now being brought forward to amend the Legislative Assembly Act.

It was of interest to receive this bill originally and to find that there were a number of things proposed, especially with respect to the Office of the Assembly itself. As the minister has announced, he has now accepted in a reprinted version of this bill a number of substantial amendments with which we agree. In conversations with various members of the staff who were affected by these amendments, we found that the points which they had to raise were logical and were worthy of support, and I am pleased to see that the minister has accepted the comments which have been suggested as amendments to the bill.

Certainly in the first section, the changes which set out the more clear procedure of electing a deputy Speaker and resolving various problems which could arise, are worthy of support and appear to be in order. As I had mentioned, with respect to section 68 of this proposed bill, I, of course, will have no comments and no opinion on that particular matter.

Section 69 dealt with the matters raised concerning the provision of the unconditional grant moneys which have been set at $5,000 per member. This point was substantially debated in the supplementary estimates which have now been passed by the House. Comments were made at that time with respect to removing from that allocation the members of the executive council. Since that matter has been debated and dealt with, I will certainly not proceed to review the reasons we had for that position. However, I still think the points were validly made and perhaps some day that matter may be changed.

In the latter part of section 69, there are proposals now that the amounts would be as appropriated by the Legislature, rather than the 20 per cent figure which was used earlier on. I think that this is a good change because, while the percentage might change from time to time, based upon the needs of the opposition and based upon the numbers involved, that surely can be done by the Legislature without the necessity of having to amend the Act and deal with a particular percentage that would have been enshrined in the legislation.

With respect to section 3 of this bill that deals with section 71 and others, concerning the Office of the Assembly, we noted originally that there was apparently some confusion between the legislative assembly as such and the Office of the Assembly. We think that confusion has been substantially resolved by the proposed amendments, and we think that this reprinted bill is the better for it.

Historically, as you are aware, Mr. Speaker, there are two officers of the assembly, namely, the Clerk and the Provincial Auditor. While the auditor has had various protections, pursuant to section 2 of the Audit Act, in order that that office be able to have removal only under an address of the assembly and a continuation during good behaviour, that had not been the situation with respect, at least formally, to the office of the Clerk in this Legislature. Those statutory provisions which benefited the independence of the auditor as a servant of this assembly are now to be included in the proposed amendment in section 72. We think that that is exactly what should happen.

As originally proposed in section 72, the various appointments were set out of Clerk, First Clerk Assistant, Sergeant-at-Arms and director of administration. These were to hold office, in effect, during the Speaker's pleasure. I think that it is wise to separate the positions and now to give the Clerk the fullest protection of the terms of this distinguished office, which I must say is graced by its present incumbent. The terms which are set out as proposed in the amendments are most satisfactory. Surely, this office should be filled, clearly during the good behaviour of the incumbent person, and also the removal of that person should be not on any capricious basis, but rather on the address to the assembly, if such a most serious step should ever be necessary, and one done, obviously, with great and serious reason.

In section 74 in this amendment, we originally would have had the director of administration prepare the estimates. We thought at the time that this was not the satisfactory way in which to handle this because, obviously, it is Mr. Speaker's responsibility to prepare the estimates, although the mechanics of that might well be done by some other person. It is quite clear in the reorganization of this office that the director of administration would likely have the mechanical work to do through the members of his or her staff and that this task would come under the direct control of the director of administration, although the responsibility is obviously still that of the Speaker.

In section 80, as set out here, the comments earlier from the member for Sandwich-Riverside (Mr. Burr) had perhaps led some of us to consider applying for advances in order that we could make some money by putting those funds out at interest, but I suggest that that is probably not going to be open to members of the assembly. The whole idea, obviously, was for the convenience of those staff persons, particularly on select or standing committees, who might have to have some expense funds—which, of course, would be entirely accountable in advance.

Now that it has been changed to a committee of the assembly, it includes obviously both select and standing committees. That is a good thing to have so that should the occasion arise, where fully accountable advances would be required, this could be attended to on the authority, and I am sure

under the close and personal scrutiny of Mr. Speaker.

Section 82, of course, is the one which creates the Board of Internal Economy, and that comes of great interest to all members of the assembly.

I understand that in the federal House of Commons the procedure was to appoint certain members of the Privy Council and the question arose when the hon. Marcel Lambert sought appointment, since he was a member of the Privy Council. But, of course, he was as well a distinguished member of the official opposition in the House of Commons. From that point I think has developed the view, especially in this proposed amendment, that there should be input from the opposition parties in the formality of running the Office of the Assembly and in controlling the various financial and sessional requirements of the legislative assembly.

I am certainly pleased that the commissioners who are going to be appointed, obviously have to have the confidence and the belief from the members of their own caucuses that they will be able to carry out these particular tasks which are going to be required of them. There must, of course, be a government majority, and this has been attended to very nicely. On the other hand, there must be representation from the two opposition parties, and this, too, is proposed.

There is the interesting subsection here which would allow appointment, really, from any party other than that of the official opposition. Now, as you are aware, Mr. Speaker, we have had the view, at least in the other financial Acts with which we have dealt, that third party representation was based on the requirement of having 12 members in that third party.

I don't know why this hasn't been spelled out in this section, as it might prove at some point in the future to be awkward if a splinter group of two or three or, indeed, perhaps an independent member, should demand membership on the Board of Internal Economy because of the way subsection c, sub iii, reads.

If a two-member splinter party formed a caucus and wished to appoint a person to this Board of Internal Economy, you might be bringing yourself in for some problem in the future, Mr. Speaker. This may not be the case; I may have read too much into this situation. But I would have thought that the 12-member term that we have used in the past might be here. It may be that the minister has an answer to this point and that I may be in error, but I raise it and perhaps it can be discussed.

Under section 84(f) I would draw the attention of the House to the powers which the Board of Internal Economy will have in that subsection. It seems to me that this board is going to be dealing more with financial matters. I wonder if really the board should be in the position to, as subsection f says, and I quote:

> To advise upon and give directions in relation to any matter the board considers necessary for the efficient and effective operation of the Office of the Assembly.

I would have thought that the word "financial" might go into that between the words "any" and "matter," so that the Board of Internal Economy is not presuming to deal with certain matters that it is not the intention that the executive council might have to give to that board.

Again, it's a suggestion which I think might be an improvement, because certainly the work which this board is going to be doing will be to deal particularly with the financial aspects of the operation of this assembly, as all-inclusive as those may be.

In section 89, Mr. Speaker, there have been certain representations brought forward and certain concerns, particularly by the staff members, as to how grievance and other disciplinary matters might be handled.

In the original proposed Bill 170, there were certainly some loopholes, and I understand there was some unhappiness with the procedure as had been explained there. We have now seen substantial amendments and I commend the minister for accepting those amendments as set out in section 89 and the sections immediately thereafter.

It certainly appeared to us that the Speaker was not the person who should sit in this particular position but that this, in fact, was the responsibility of the Clerk in order to deal with the initiation of any inquiry, if such a thing should unfortunately be necessary. The Clerk should be, and is certainly, in a good position to deal with the administrative matters and this would avoid any hasty, perhaps political, reaction that could occur in a disciplinary matter and which might prove to be unfortunate for all of us.

The matter of having appeals through the usual procedure of the public service grievance board again builds in an independent factor and a proper procedural safeguard to make sure that any of the matters com-

plained of through the inquiry which the Clerk might initiate would be dealt with in an unbiased and completely proper manner. I appreciate very much that this term has been put in, to have the public service grievance board procedures to be available to the various members of the staff, and I think that should the unfortunate occasion arise where section 89 would be used, at least the end result would be after a full and proper hearing.

Section 91 does rather bother me, and I raise a point which I think might be of use to the Minister of Government Services. It would appear that the members of the public service who have agreed to accept appointment and employment in the Office of the Assembly are going to be put to this decision immediately upon the day that this Act comes into force. It would appear, therefore, that these persons have no option as to whether, in fact, they may wish to consider this matter.

I'm going to suggest, Mr. Speaker, when we get to section 5 of the bill and deal with the matter of when this bill comes into force, that there could well be an amendment to allow section 91 to come into force on a date to be proclaimed by the Lieutenant Governor. This might be a more pleasant and a more relaxed way of allowing this particular decision to be made by members of the staff if they so wish to do and will give them time to exercise the option that is put forward, perhaps in a month's time, or whatever. I commend that idea to the minister, because I think that it would be a way of dealing with any personal matters in a good form should they come up.

Section 93 deals with the building and its control by the Office of the Speaker. There are, of course, those of us who feel that this entire building should be the prerogative of Mr. Speaker, and others should be here as may be required, but with the long-term view that the building will be solely for the operation of the legislative assembly. As we proceed hopefully to that goal, and as other space is available into which proper facilities may be developed, if that should be the occasion, we obviously have to know which parts of the building are going to be under Mr. Speaker's control.

I feel that the definition of the areas which are to be under Mr. Speaker's control should be well known, not only to the members of the assembly but to those of the press and the public who might be involved in the operation of this organization. The fact of the order in council being laid before the assembly with a clear record of the precincts of the building which are under Mr. Speaker's control is, I think, a good idea.

The matter of security is something in which we certainly have seen great improvements over the past year or so. The government protective staff that is now available to us in this building, I think, from my observations of it, has proven to be well organized and I think is doing a most acceptable job.

It is a pleasure to see the two young ladies who have been appointed to the staff. I think this is a good idea, and certainly it is a requirement where the public is being involved.

Perhaps it's only my military background that occasionally shows through, but I think that seeing the members of this staff nicely uniformed and well turned out is a commendable thing. I feel that they provide a good touch of discipline and their bearing has been most commendable. This is an improvement over the system in the past and I commend the changes that have been made and the good taste that I think has been shown in that situation.

I realize that the personnel who are enforcing security are on a rotational basis, as I understand it, and have responsibilities in other buildings and, I think, at Osgoode Hall as well. I would suggest that at least certain persons who are on the staff within this building should remain on duty here rather than being seconded to other buildings, so that they will have a greater familiarity with the members and perhaps with the mechanics of the operations of the Legislature than might otherwise be the case if all the members of the staff were being rotated through a series of responsibilities.

This might be a way of building a slightly better familiarity with the operation of the Legislature in the useful approach which could be taken by these members of the protective services as they get a sort of feel for the operation of this place. It is surely not like the real world on many days. I would think that some continuous exposure within the chamber, while it might be a strain at times on their patience, might at least be of benefit to the members.

Mr. Speaker, those are really all the remarks I had. As I said, I would commend an amendment to section 5 for the minister's consideration. I would not take it to committee solely for that purpose, but I think that section 5(1), could read: "This Act, except sections 2 and 91, comes into force on the day it receives royal assent."

Subsection 2 could remain as it is and a new subsection 3 could usefully say: "Section 91 shall be deemed to come into force on a date to be proclaimed by the Lieutenant Governor."

I think if the minister does that he will resolve any particular problems in the options which he is putting to the assembly staff under section 91. It would be a useful way of resolving a problem before it perhaps comes up. If it is not taken advantage of by any of the happy crew that are involved in this organization, then so much the better. Thank you, Mr. Speaker.

Mr. Speaker: I would just state that if anyone was worried about the member's suggestion at the beginning of his remarks that section 20 might apply, I'm sure he meant it in a jocular fashion. It does not apply.

The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Thank you, Mr. Speaker. I want to make one or two comments about the bill. Really the point has been raised in various ways by different members about the problems of disparities of resources between both the two sides of the House and perhaps also between different members in the House. This is one of the most difficult problems, Mr. Speaker, that you and your staff have to try to determine or that we as a Legislature have got to determine. How do you provide resources to one member who simply has to appear in his riding once every year and does nothing around here either and yet is guaranteed election from now until doomsday, and another member who, because he is either driven and harried by a tiny majority or because of natural inclination or talent, is exceptionally busy and very much involved in the process of being a member and all that that entails?

There is no easy answer to it, but I think that the point at least needs to be raised. In a general way, I think that the problem of disparity of resources between the opposition parties and the government has still not really been accommodated by the various measures that have been taken in the wake of the two Camp commission reports.

Perhaps I can just recall—the Minister of Justice (Mr. Welch) isn't here today—that the other week there came up in the House some amendments to the Judicature Act that affected the rights of the press to take photographs in or around courtrooms. As so often happens, Mr. Speaker, with the amount of legislation that comes through this place and with the very limited amount of support staff that we have to do research for the Legislature, the bill came forward and certain points were made by our side and then other points were made, in that case by myself as a former journalist, but scrambling, trying to get the kind of picture straight. So often one doesn't have time to sit and give a bill half a day of thought and come forward with cogent and coherent kind of arguments and put the case in an elegant fashion.

The minister got up in reply—and in fact did reply in a very elegant fashion—and we had an interesting debate on the points of principle in that particular bill. But what struck me in the minister's reply was, I realized, that he was replying from notes that had been prepared for him by a member of his staff who had been able to think through the various issues of principle which might be raised during the course of the debate. The minister used metaphor and allusion and strophe and all sorts of rhetorical devices in putting forward very ably the argument for his point of view. The minister is capable of making a good argument—I don't deny him that—but it certainly helped a lot that a busy member of this Legislature had the support of somebody in his staff who could anticipate the kinds of things that would be stated and was then able to put together the rebuttal in form that the minister could use.

This happens all the time, Mr. Speaker, whether it's the Liberal caucus of 20-odd or whether it's the NDP caucus of 20 members.

Mr. I. Deans (Wentworth): Twenty odd members.

Mr. Cassidy: They are 20 odd members. We are just 20.

Mr. Deans: They are odd members. We are just 20.

Mr. A. Carruthers (Durham): I would say the members opposite are all odd.

Mr. Cassidy: Each of the opposition parties in its work in the Legislature carries as much of a load as the government, but carries it with far fewer resources. We have five researchers. The Liberals have five or six or seven. Any one of the ministers of the Crown who brings forward a bill in this House, Mr. Speaker, has the benefit of the equivalent of at least five or six people who know the area intimately and are capable of doing the kind of work that our researchers can do when they have the

time to devote to it. And not only that; there is of course a tremendous amount of preparation and consideration and so on of the pitfalls that go into bills or are said to go into bills before they come to this place.

I have to say, Mr. Speaker, that one of the problems with the resources given to the various caucuses is simply this, that the government-side back-benchers don't basically participate in debates, although they may do a certain amount within their caucus. The legislative responsibilities that they have tend to be those of attendance and not much more and, judging by the dozen or so who are here for this particular debate, they don't take those responsibilities too seriously.

Mr. R. Haggerty (Welland South): All the time. That is the problem.

Mr. Cassidy: The ministers obviously have other responsibilities, but they also have very substantial support staffs in order to help them in their particular jobs. The burden of the debate in this Legislature is carried by the New Democratic Party and, to a lesser extent, by the Liberals. Without being partisan, it is being carried by the opposition parties.

Mr. Carruthers: Like the member for Ottawa Centre.

Interjections by hon. members.

Mr. R. D. Kennedy (Peel South): The burden is on us having to listen.

Mr. Deans: The difficulty is having to use words small enough so that the Tories will understand them.

Mr. Cassidy: I think at times it's a bit distressing, Mr. Speaker. I am trying to make a serious argument here; this is not intended to be particularly partisan. There is a serious problem here that relates to the Legislature as a whole. Members of our party, if I want to talk in specific terms, have responsibilities to get re-elected; they have responsibilities to their local riding association; they may have some obligations to their party; they have responsibilities to their families, who all suffer because of the work we do as members and the degree of absences that we suffer.

Mr. R. F. Ruston (Essex-Kent): If he can't stand the heat in the kitchen, he'd better get out.

Mr. Cassidy: Fair enough, okay.

Mr. N. G. Leluk (Humber): He'd better leave.

Mr. Cassidy: They have responsibilities to constituents in case work, they have responsibilities outside, in terms of responding to letters and so on, and what happens is that the Legislature has a tendency to come last on the list, rather than near the front. With the kind of support staff that members have, many of those things that we do outside that might be done by other people are either done by the members themselves or else the members have to engage themselves, and their energy and time and effort, in ensuring that those things are done.

In my particular case, among the other ways that I occupy my time, every couple of Saturdays I go out in my car for a couple of hours along with 20 other members of my riding association to deliver a community newspaper. We do that in order to raise the funds for a $10,000-a-year constituency office, and without that constituency office, Mr. Speaker, I would be helpless to do what I can do, in legislative terms or any other terms of the job that I have to do.

Mr. Haggerty: Where is that? In Toronto Island?

Mr. Cassidy: But those funds have got to be raised. The pressure is always there, and the Legislature suffers, I would suggest, in many cases.

The members of this Legislature ought, above all, to be concerning themselves with what goes on here; to be concerning themselves with informing themselves in those areas of legislation and policy that are of particular interest. But I have to ask you, Mr. Speaker, how many members in the opposition have been able to go off, let's say, for even a week, let alone two or three weeks in the past year, to go to Quebec, or to go to British Columbia, or to Washington, or maybe even to Britain, or some other jurisdiction in order to see how people in another jurisdiction comparable to Ontario's solve the very difficult problems of government in these days? The Treasurer (Mr. White) went to Yugoslavia a year or so ago to see their patterns of municipal government, and I am sure that was a stimulating trip for him. As far as ministers are concerned, even they don't get that kind of input very often. How many members of this Legislature find the time to do serious reading, on a sustained basis, on the areas in which we are spokesman, or critics, or parliamentary assistants or whatever? Again, not nearly enough for the health

of this body, which is the major policy-making body of the government of Ontario—or at least is intended to be.

In the case of the opposition, Mr. Speaker, I can't guarantee that, given more support, we would suddenly turn into paragons, and obviously, given more support, not all of our efforts would go into policy-making in legislation. We might try to do a bit more for our party, because we are partisan people. We might try to spend a bit more time with our families, which isn't such a bad idea either. But, nevertheless, we are labouring with very small resources.

The pattern in other jurisdictions has been pretty inexorably to say that if legislators are going to do a good job they have to have more support than people are getting right now. That particularly applies to the obligations on members of the opposition parties who have to respond and try to cover off an entire ministry that may cover the province, may have thousands of employees and may spend billions of dollars. We get the member for Sudbury (Mr. Germa), with his secretary and the help of a fifth of a researcher or half of a researcher, covering off Transportation and Communications. We get the member for Parkdale (Mr. Dukszta), also very ably covering off the Ministry of Health. But one really has to ask oneself whether that is really sufficient scrutiny of the work of a ministry whose spending is now up to the level of a couple of billion dollars a year.

For reasons of the way in which the media works, and other things like that, we tend to sort of concentrate our fire in a very few areas. To some extent, there is a tendency to take cheap shots; to come up with something that we know will grab headlines. With great respect, like the kind of things that the member for Downsview (Mr. Singer) had to say yesterday on the OHC condominium sales. It is that kind of thing. It is so much more difficult to get the information together and the knowledge for a really sustained critique of what the government is doing. I suggest that all of us in opposition, Mr. Speaker, are subject to this kind of problem.

The Legislature itself is being hurt by that problem. And if the Legislature is hurt, then I think that we are all involved—partisan considerations apart. There isn't the quality of debate, the quality of thinking, the quality of interchange that ought to take place.

I can see, Mr. Speaker, that this isn't only a problem for the opposition parties—perhaps this is not quite apropos on this particular bill. But I can see that the ministers of the Crown are persons who are harried and beset almost beyond reason. Some of that is because the political circumstances, which make it more difficult to be a minister of the Crown nowadays than it was, say, back in 1971, and I don't want to go into those any further. The other thing, though, relates to the very heavy burden of running the affairs of the Crown and of trying to relate together, and so on. They simply can't put it all together.

If that's the case for ministers, with the kind of resources that they have, then one has to ask: "What is the situation for members of the opposition with the very limited kind of resources that we have?" I will give you a couple of other examples before I sit down, Mr. Speaker.

The Minister of Agriculture and Food (Mr. Stewart) and I struck a common chord the other day when I said that I couldn't get more than two bills out of the Clerk's office here when I needed them in a hurry. I was told to go over to Bay St. to the bookstore. Now, that's very nice, but that means that a secretary—of whom I only have one and who works seven hours or so, and works very hard each day—has to spend a half an hour of her duty to slip over to Bay St. and to come back.

Mr. Speaker, when we try from time to time to get copies of the consolidated statutes or of other statutes from behind the Speaker's chair, they aren't always available. As a rather lax user of libraries, I sometimes find that my peccadilloes are not tolerated by the legislative library, which seems far more anxious to protect the volumes it has than to ensure the best service possible to busy members who are trying to get information in a hurry.

There is a whole series of petty frustrations about this place which should not be visited upon people who are earning more than $20,000 a year and, for the most part, devoting their full time to the business of this particular Legislature.

The government has its own processes of consultation with interest groups around the province. Members of the opposition are often not invited into those. In other cases where they are invited to them, we don't take part because it is their show and not ours. In other cases, even though we would like to take part, we just simply have too many other obligations. We can't do it as consistently as we would like to. I would like to go to every meeting of the provincial-municipal liaison committee, because the Treasurer isn't really doing a bad job with that particular committee. That's Merry Christmas to the

Treasurer. However, we would like to be able to consult too.

We find it frustrating when the government rams business through, and we have said that several times before. It is also frustrating when you simply lack the resources to get together a list of the 30 to 40 heritage groups in the province and get a bill or a letter out to them quickly and get their comments back in time in order to comment on a particular situation. Again, it is difficult to seek comments from maybe a couple of hundred municipal leaders across the province when you are working with a very limited kind of resource with which we soldier on.

So there are real problems, Mr. Speaker. I wanted to put them on the record and I won't speak any longer now. I hope that the Board of Internal Economy will be seized of this kind of situation and that the board may, in fact, work almost like a continuing Camp commission, in continuing to try to improve a situation which no more than a few years ago was far worse than it is today.

If I can make one other comment related to the bill, Mr. Speaker, I think that the reformulation of the Board of Internal Economy is a welcome change in putting representatives of three causes in there. I think I really question, however, the fact that the government side, between its caucus representatives and members of the cabinet, has a majority.

I think that I would support a reduction in the number of cabinet ministers in that Board of Internal Economy to the point where we had a member of the cabinet, a caucus member from the Conservative side, and a caucus member from each of the two opposition parties and, you, Mr. Speaker. In other words, there would be an even balance from both sides of the House and then the Speaker himself, in his independent position, would have the deciding say in case of a profound disagreement. Thank you very much.

Mr. Speaker: Any other hon. member wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Snow: Thank you, Mr. Speaker. I have a lot of notes of comments that have been made by the hon. members, mostly from the other evening's debate. I think it's rather unnecessary for me to reply to most of those comments because certainly the vast majority of them, and I believe all the constructive comments, have been taken into consideration and are now a part of the amended bill.

To comment briefly on the remarks that have been made by the speakers today, the matter of riding offices has been mentioned by several speakers, in fact, by speakers from all three parties. It certainly was not commented upon to any degree in the commission report, but I understand there is a fourth report of the commission to come down finalizing their total responsibilities and that this will deal with or make some recommendations regarding riding offices.

The hon. member for Ottawa Centre spoke at great length about research staff and more facilities for members of the opposition parties. I think, Mr. Speaker, this new organization which this bill sets up, the Board of Internal Economy, and the Camp commission recommendations that have now been implemented, giving substantial increases in funds for research purposes to the opposition parties, has gone a long way in meeting these requirements.

Mr. Cassidy: It's only the beginning. It really is still quite inadequate, Mr. Speaker.

Hon. Mr. Snow: The hon. member for Ottawa Centre says it's only beginning. I reiterate that I think it's going a long, long way, Mr. Speaker. But we will never agree on that and I don't expect the hon. member to agree.

Mr. Cassidy: No. The gulf in resources is far too great still.

Hon. Mr. Snow: In any case, Mr. Speaker, basically the money for both the opposition leaders' offices and so on is now to be settled by the assembly here. We took out the percentage figure that was in the first bill, which I think is an improvement.

The hon. member for Kitchener made a considerable contribution in his comments, Mr. Speaker. I think on one point that he brought up relating to section 82, sub c, subsection iii, regarding the representative on the Board of Internal Economy for the third party, that clause can be improved somewhat. I have an amendment drafted, where if we go into committee with this bill, we can improve that slightly, without taking up a lot of time which I know we all feel is rather precious today.

As for the comment regarding section 8(f), I am advised by the drafters of this legislation that the word "financial" is not needed in there, that the matters that are referred to here are covered in some other way. They refer to the duties of the board that are financial, organizational and administrative. I

don't think there is any need to amend that particular section.

Also the member mentioned section 91 and the fact that that section comes into force on the day that this bill receives royal assent and the fact that certain members of staff may not have had ample opportunity to consider their position, or whether they wished to stay with the civil service or join the staff of the Office of the Assembly. There are some complications here. I understand certainly the member's concern.

These changes have been under consideration for some time, of course. The staff, I think, in most cases have had consultation and opportunity to consider their status. There are other staff; there are staff from my ministry, a small number of staff in my ministry that are now handling some of the duties that will be assigned to the Office of the Assembly that are transferring, too. In order to get this office set up and in operation to carry out the intent of this Act, and on the advice of Mr. Speaker and the Clerk, I feel it is advisable that this section stay as it is.

I really don't feel there is any great hardship. I think it is covered well in the Act that the members of the public service who join the Office of the Assembly are to retain every right that they have. They are to have the opportunity to maintain their seniority in the public service and to transfer back. For instance, if a clerk from my ministry transfers to the Office of the Assembly now and six months from now an opening that would be a promotion for that clerk becomes available back in my ministry or in another ministry he has the perfect right to apply for that competition. I think the staff between the Office of the Assembly and the public service will be kept so that they will not lose any opportunities for advancement and will be able to transfer back and forward.

I think that covers most of the comments, Mr. Speaker, that were raised today and, as I say, I think the ones for last week were covered in the new bill.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this is to go to the committee of the whole House?

Agreed.

Hon. Mr. Snow: Mr. Speaker, just for that one small amendment, I guess we have to do it. We have to go into committee anyway.

Clerk of the House: The fifth order, House in committee of the whole.

House in committee on Bill 170, An Act to amend the Legislative Assembly Act.

LEGISLATIVE ASSEMBLY ACT

Mr. Chairman: Are there any questions, comments or amendments to any section of Bill 170 and, if so, what section?

Mr. R. Haggerty (Welland South): Section 89.

Mr. I. Deans (Wentworth): Isn't there an amendment?

Mr. Chairman: I wonder if the minister has some amendments he might outline.

Hon. J. W. Snow (Minister of Government Services): Yes, on section 82.

Mr. Chairman: Section 82. Would the minister move his amendment before the discussion?

Hon. Mr. Snow moves that section 82(1)(c)(iii) be amended to read: "one from the caucus of the party having the third largest membership in the assembly."

Mr. Deans: You're trying to be sure you people will have representation after the election. That is what it is.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): We're trying to be sure that when the socialists divide into two they don't have two representatives.

Motion agreed to.

Mr. Chairman: Is there any further discussion on section 82?

Are there any further comments, questions or amendments to any other section and, if so, which one?

Mr. Haggerty: Section 89, Mr. Chairman.

Mr. Chairman: Section 89. Will all sections carry to section 89?

Agreed.

On section 89:

Mr. Haggerty: Section 89(1) says:

> If any complaint or representation is at any time made to the Speaker for the time being of the misconduct or unfitness of any employee of the Office of the As-

sembly, the Clerk of the legislative assembly may cause an inquiry to be made into such complaint or representation.

I make reference to subsection 2 which says: ". . . the Lieutenant Governor in Council, reprimand or suspend him . . ."

I believe that if there are a number of female employees included it should be included in this. I think the terminology there should be corrected.

Hon. Mr. Snow: Mr. Chairman, I'm advised the Interpretation Act covers that matter.

Mr. Chairman: Shall section 89 carry?

Mr. J. E. Stokes (Thunder Bay): I want to ask a question just for purposes of clarification.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: Since they're not classed as civil servants—they're considered public servants under the aegis of the Office of the Assembly—do you not think it advisable that if they want to sit down and discuss something with the Speaker, you provide them with the authority to at least sit down, talk things over and be able to appoint a small committee within their groups for purposes of consultation, if for no other reason, or if there is something undue that is happening that they're not clear on or they feel that they're not being adequately represented? Is there some vehicle—a committee—so that they could sit down and chat even in an informal way with those responsible for carrying out the aims and the objectives and to make sure that the Office of the Assembly is working in an efficient manner?

Within the CSAO, or any other organization, this is recognized as something that's advisable, but it seems to me that there's no opportunity for anybody here. I'm not singling out any particular group, whether it be pages, attendants, Clerks, Hansard staff or anyone else, but there should be some opportunity for them to be able to approach the Speaker and those who are responsible for carrying out the duties of the Office of the Assembly if it should arise. I see no reason why some provision in this bill couldn't be made for that express purpose.

Hon. Mr. Snow: Mr. Chairman, there is certainly nothing in the bill to prevent it. This was discussed the other night. There is nothing in the bill to prevent any type of a relations committee. Certainly it would be expected that this would happen. You have the Speaker, the Clerk and administrator and it would be expected there would be a staff relations committee. I understand that now Mr. Speaker and the Clerk are working out administratively a procedure by which these things you bring to our attention can be discussed. There is certainly nothing in the bill that prevents it. I understand that it's already organized.

Mr. Chairman, the employees of the Office of the Assembly are actually the employees of ourselves, as the members, in the operation of this assembly they have, I think, ample opportunity, or will have certainly as far as I'm concerned, to meet with the Board of Internal Economy or with each and every one of their 117 representatives who sit here in these seats—soon to be 125, I guess.

Section 89 agreed to.

Mr. Chairman: Is there any further discussion on any part of this bill?

Bill 170, as amended, reported.

Clerk of the House: Bill 81, the Provincial Parks Municipal Tax Assistance Act, 1974.

PROVINCIAL PARKS MUNICIPAL TAX ASSISTANCE ACT

Mr. Chairman: Are there any comments, questions or amendments to Bill 81? If so, to what section? The hon. minister wishes to make a motion.

Hon. Mr. White moves that subsection 1 of clause (a) of section 4 of the bill be struck out and the following substituted therefor:

> $5 per acre for each of the first 100 acres of each such park and $2 per acre for each acre in excess of 100 acres in each such park up to 10,000 acres in each such park and 50 cents per acre for each acre in excess of 10,000 acres in each such park, or

Hon. Mr. White further moves that subclause (i) of clause (b) of the said section 4, be struck out and the following substituted therefor:

> $5 per acre for each of the first 100 acres of such land and $2 per acre for each acre in excess of 100 acres up to 10,000 acres and 50 cents per acre for each acre in excess of 10,000 acres, or

Hon. Mr. White: Sir, this amendment will authorize payments in respect of both provincial parks and commission parklands to municipalities. The payment of 50 cents per acre for provincial parks in excess of 10,000 acres will be authorized. As the bill now reads, no payments may be made on acreage in excess of 10,000 acres.

These enriched payments will mean an additional $41,375 will be paid to the municipalities affected. Those areas which will benefit include Dysart, which has 87,600 acres of Algonquin Park, and Kaladar, Effingham and Anglesea, which have 13,130 acres of Bon Echo Park.

I have a second motion. Will I put it now or later?

Mr. Chairman: We have a second motion. I think we should deal with any discussion on section 4. Then we'll proceed with the next amendment which applies to section 6. Is there any discussion on this amendment to section 4?

On section 3:

Mr. E. R. Good (Waterloo North): Actually, the minister introduced his amendment before I realized what section it applied to. I did want to make some comments on section 3 prior to that. They are general comments which I think have been clarified in my mind and relate to the present grants in lieu of taxes being paid by the Niagara Parks Commission. I have spoken to the minister's people this morning and have now been assured that the whole park will not be treated as one 3,000-acre park but as various parks in various municipalities to which the basic 100 acres will apply in each municipality for each park. That was the question which concerned me the other day, and I did receive an answer this morning from his assistants under the gallery.

Speaking to the minister's amendment, the extra 50 cents per acre over 10,000 acres affects relatively few parks—I think two parks. Algonquin is the main park which receives a considerable additional sum of money and Bon Echo Park in the Kaladar area. All are down in eastern Ontario. When the cutoff for the $2 an acre was 10,000 acres, it was these parks that were adversely affected. This is a help.

My concern is over parks that have been assembled into one municipality, and I think Mono Rocks park is an example of where they have been assembled in 100-acre lots. The tax average, as I mentioned the other day, is roughly $400 to $600 revenue to that municipality which will be continued to be paid, I understand, until the park is developed. But once the park is developed, if it is situated all in one municipality, then the first 100 acres will attract only a $500 grant and the other acres beyond the 100 will attract only $2 an acre.

There is quite an advantage or disadvantage in this scheme, Mr. Chairman, depending whether or not the park is situated all in one municipality or is broken up within three municipalities. I think at some future date the minister should maybe give a little consideration to that, because in the final analysis from the way I read the bill the Minister of Natural Resources (Mr. Bernier) makes the determination as to who is going to get how much. I think even the breakdown I received for the St. Lawrence Parks setup gives the money to 14 different municipalities. That is very fine, because that park is strung out in a lot of municipalities and each municipality gets the advantage of the basic $5 per 100 acres. But if the situation were such that that were all in one municipality, it would reduce that $23,000 revenue tremendously. I feel that the formula used here could adversely affect the tax base in many municipalities.

The other thing I would like the minister to comment on, Mr. Chairman, is if there are any statutory provisions whereby parks should be paying money to the municipality for their commercial concessions. Niagara Parks has paid a substantial sum, I think $53,000. The provision of this Act will be in addition to the $53,000 or $56,000 by the Niagara Parks Commission. Then we have the contrast, Mr. Chairman, where the St. Lawrence Parks Commission hasn't been paying a nickel to the local municipalities.

I just wonder why there is this discrepancy from one provincial park to the other, and if this is because it's just a matter of decision of the park board. If that is the reason, I think something should be done about that.

Mr. Chairman: Shall section 3 carry?

Section 3 agreed to.

Mr. D. M. Deacon (York Centre): Are we coming to section 4?

Mr. Chairman: We are coming to section 4 now. The minister has moved amendments. Do you want to discuss these?

Mr. Deacon: What I am concerned about is the effect of the parkway belt, say, in Markham. It might be 2,000 acres in Markham. We are still at the point where on 2,000 acres in Markham the average revenue will

be just over $2 per acre on that. That is certainly well below the revenue that is now received on agricultural land as such. This is a basic problem I see in this formula where the minister is treating the parkway belt lands in the same way as the normal provincial parks.

In those areas which are highly developed you are, in effect, putting a burden on the local taxpayers that I think is undue, especially when the benefit of the parkway belt is largely for the developed urban area to the south. I would ask the minister to consider changing that clause. I haven't worked out what it could be, but for an area where the agricultural assessment is at a certain level you should adjust it, continue it, and make it in line with the general agricultural rate of revenue.

Hon. Mr. White: Well, sir, this is a temporary measure, and a year or so from now we will be going to full grants in lieu of taxes based on assessment.

Mr. Deacon: Oh, good.

Hon. Mr. White: In the meantime there are no such lands affected.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Mr. Chairman, this is a bold and daring stroke by the master of derring do and we support it.

Motion agreed to.

Section 4, as amended, agreed to.

Mr. Cassidy: The Christmas spirit has just overcome me.

Mr. Chairman: Is there any further discussion on any other section prior to section 6?

Section 5 agreed to.

On section 6:

Mr. Chairman: The hon. minister has an amendment.

Hon. Mr. White moves that section 6 of the bill be amended by adding thereto the following subsection:

(3) Notwithstanding subsection (2), the moneys required for the purposes of this Act by a commission mentioned in subsection (2) shall for 1974 be paid out of the moneys appropriated therefor by the Legislature.

Hon. Mr. White: If I may just provide a brief explanation, the money necessary for payments in respect of parks operated by the various parks commissions for the 1974 taxation year is contained in the appropriation of the Ministry of Treasury, Economics, and Intergovernmental Affairs. This amendment will authorize the payments to be made for 1974 only, to be paid out of the money appropriated therefor by the Legislature. Thereafter, the necessary money will be paid out of the funds of the particular commission.

Mr. Good: Just one point, Mr. Chairman. I think I could work it into this amendment in some way as it's talking about money being spent. I hope the Provincial Treasurer makes it very clear to the Niagara Parks Commission, the St. Lawrance Parks Commission and the St. Clair Parkway commission that this grant by the province in lieu of taxes should in no way affect the grant. When I spoke to the chairman of the Niagara Parks Commission, who just left the chamber a moment ago, that was the first he was aware—at least that he let on to me—that this was going to be in addition to what they are already paying the municipality. I think that's a very important point. Also, the Provincial Treasurer should look into the situation in the St. Lawrence Parks area where they have made no payments to the municipalities up to the present time from park moneys received.

Hon. Mr. White: This will be correctible also when we go to the assessment method. In the meantime, I am able to assure the House that the Niagara Parks Commission has been paying about $50,000 as payments in lieu of taxation, and this will continue.

Mr. Good: Well, the bill doesn't affect them.

Motion agreed to.

Section 6, as amended, agreed to.

Mr. Chairman: Any other comments, questions or amendments to any other section of the bill?

Hon. Mr. White: Mr. Chairman, there was a point put by the member for Waterloo North the other day which I didn't respond to at the time. He pointed out that no payments are made in respect of Quetico Park, Polar Bear Park, Lake Superior Park and other large parks in northern Ontario. This is correct, but the reason no payments are made is because these parks are in unorganized areas and there are no municipalities to receive the money.

Mr. Chairman: Shall the bill be reported?

Bill 81, as amended, reported.

COUNTY OF OXFORD ACT

House in committee on Bill 174, An Act to amend the County of Oxford Act, 1974.

Mr. Chairman: Are there any comments, questions or amendments to this bill? If so, to which section?

Sections 1 and 2 agreed to.

On section 3:

Hon. Mr. White moves that section 3 of the bill be amended by adding thereto the following subsection:

(2) The said section 114 is amended by adding thereto the following subsection:

(9) Notwithstanding section 4 of the Conservation Authorities Act, the county council may appoint to the Upper Thames River Conservation Authority the same number of members as the local municipalities within the county were entitled to appoint in the year 1974.

Hon. Mr. White: Now, sir, may I point out that this was done at the request of the member for Oxford (Mr. Parrott) and acceded to by us because it does seem unfair and unnecessary to downgrade the representation of a county when that county undertakes of its own volition to restructure and modernize its affairs.

Mr. J. R. Breithaupt (Kitchener): Especially when it does so of its own volition.

Hon. Mr. White: I wouldn't want some diminution to discourage counties from what they see to be necessary and desirable consolidations internally. That's the reason for this amendment.

Mr. Chairman: Shall the amendment carry?

Mr. Breithaupt: Mr. Chairman, neither would we, and I would be glad to support the amendment.

Mr. Cassidy: I would like to raise a question here, Mr. Chairman. I think it's an interesting amendment, and we will support it, but is this an invitation to other upper-tier municipalities across the province, like regional Ottawa, to negotiate with their own area municipalities and possibly acquire the responsibility for representation on that local conservation authority? And does that represent a change in policy on the part of the government?

Hon. Mr. White: Oh no, sir, I can't call it an invitation. I do point out, however, that the Provincial-Municipal Liaison Committee has had two or three sessions with the Minister of Natural Resources, and he is considering alterations of one kind and another. Now, I wouldn't want this to be misinterpreted. What he is not considering is making conservation authorities a committee of a regional council. With that qualification, he is prepared to re-examine existing arrangements to see if improvements can be made.

Motion agreed to.

Section 3, as amended, agreed to.

Mr. Chairman: Are there any further comments, questions or amendments to any other section of the bill?

Bill 174, as amended, reported.

Hon. Mr. White moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report three bills with amendments and asks for leavs to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 81, the Provincial Parks Municipal Tax Assistance Act, 1974.

Bill 174, An Act to amend the County of Oxford Act, 1974.

Bill 170, An Act to amend the Legislative Assembly Act.

MINISTRY OF CULTURE AND RECREATION ACT

Hon. Mrs. Birch, on behalf of Hon. Mr. Davis, moves second reading of Bill 180, An Act to establish the Ministry of Culture and Recreation.

Mr. Speaker: Is there a statement? The hon. minister.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, in moving second reading of this bill I should like to outline in more detail the existing government programmes which will be brought together within this ministry, and to comment briefly on the need for a ministry of this type.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, on a point of order. We have difficulty hearing the minister. Could she move over one so she would have the benefit of a microphone?

Hon. Mrs. Birch: Thank you.

Since 1945, Ontario has changed remarkably. We have become not only an industrialized province, but a highly urbanized one as well. During this period, we have benefited from immigration from over 50 countries. In short, we are truly a multicultural province. Our growth has brought with it greater opportunity for social development, a broad base on which to develop, an enviable cultural heritage and the need to conserve the treasures given to us by past generations.

Underlying the priority the government attaches to this ministry is our firm conviction that individual and community involvement in the process of cultural and recreational development contributes to a full and equal citizenship.

Mr. M. Cassidy (Ottawa Centre): I don't believe any of this.

Hon. Mrs. Birch: The objectives of the new ministry will focus on ways in which culture and recreation can enhance the general quality of life in Ontario. To achieve its objectives, the government had set for the ministry six main areas of involvement. The first area, heritage conservation, is one I know will be well received by all of us who admire and wish to preserve worthwhile examples of the talent and the ingenuity of the past.

Mr. Cassidy: This is hypocritical, it really is, you know—given the record of the government and the pace at which it has gone.

Mr. Speaker: Order, please.

Mr. E. R. Good (Waterloo North): Another political speech.

Hon. Mrs. Birch: Earlier this session, a heritage conservation bill was introduced into the Legislature dealing with building conservation and archaeology.

Mr. Good: Last week.

Hon. Mrs. Birch: These functions will be the responsibility of the new ministry and of a considerably expanded Ontario Heritage Foundation, which will bring together a cross-section of highly qualified members of the public in its board of directors.

Mr. Cassidy: Including the former member for Carleton East.

Hon. Mrs. Birch: We intend also—

Mr. Cassidy: Including the former member for Carleton East.

Mr. Speaker: Order please.

Hon. Mrs. Birch: We intend also to bring within the heritage conservation programme the present historical interpretation and development activities which have met with so much success in projects like Ste-Marie-among-the-Hurons at Midland.

The second programme area relates to the cultural and performing arts. Here we will be transferring to the new ministry the cultural affairs division of the Ministry of Colleges and Universities and a number of the agencies of that ministry. Our larger urban areas and growing standard of living in recent years have resulted in not only the financial capacity to support creative and performing arts but the demand for more and better facilities throughout the province. As funds permit we intend to meet that need and expand opportunities for cultural fulfilment.

Some months ago, in recognition of the many different ethnic backgrounds which now make up Ontario, the government established the Ontario Council on Multiculturalism under the chairmanship of Mr. Ernie Checkeris, of Sudbury. Its objective is to advise the government on ways to promote our cultural heritage. The council, which has to this point reported to the Provincial Secretary for Social Development, will now report to the Minister of Cuture and Recreation.

The new ministry will also be responsible for a variety of programmes related to citizenship which are now the responsibility of the Ministry of Community and Social Services. It is our firm conviction that equal access to the benefits of citizenship is a right to be enjoyed by all of those who live in Ontario. We believe it is in the best interests of the community at large that those who are unfamiliar with our customs be helped to adjust to life in Ontario as quickly as possible.

Moreover, those who require help from

government but who are unsure of where to turn for assistance, may get that assistance from the new ministry's citizens' inquiry bureau, which will be transferred from the Ministry of Government Services.

Sports and recreation will be a fifth programme element and one which will receive added emphasis by the government.

The sixth programme will relate to youth and will involve the youth secretariat being transferred from the cabinet office to the new ministry. Good citizenship is a product of many things, not the least of which is a strong family and community identification. As Ontario society becomes more urban, we believe it is essential to develop opportunities so that the young can benefit from the associations and experiences of a healthy and active community sports and recreation programme.

These then, Mr. Speaker, are the main programme elements of the new ministry. I have outlined in some detail the programmes and activities which will be transferred from other ministries. Other programmes may be added later.

Mr. Speaker, the proposed Ministry of Culture and Recreation is a reflection of the pride we have in our heritage. It is a reflection of the pride we have in the numerous ethnic backgrounds which now make up Ontario's culture.

Before I conclude these remarks, Mr. Speaker, I should like to pay special tribute to the member for Bellwoods (Mr. Yaremko). He is without doubt the acknowledged leader and living spirit in Ontario's cultural development. As Provincial Secretary he was responsible for convening the Ontario Heritage Conference which can be considered the forerunner of the new ministry.

Mr. Cassidy: Why isn't he here?

Hon. Mrs. Birch: Mr. Speaker, I am sure that I speak for all members of this House when I acknowledge his outstanding contribution over the years.

Mr. I. Deans (Wentworth): Well, I can assure the member she doesn't.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. Cassidy: What about the francophones?

Mr. Speaker: Order please. The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I rise to support the bill, Bill 180, An Act to establish the Ministry of Culture and Recreation, and wonder in my thoughts why it took so long for the government to set up such a ministry.

I listened with quite an amount of interest, Mr. Speaker, to the comments of the Provincial Secretary for Social Development in her dissertation stating that the province has changed substantially since 1945. Remember, Mr. Speaker, that means it has taken this province 30 years now to come up to what other jurisdictions of the North American continent have had for years and years and years; that is a ministry of culture and a ministry of either sports or recreation. Quite often it was referred to as sports rather than recreation. In those European countries when it was referred to as sports, quite often rather than a fitness aspect of government it was a propaganda arm of the government.

The minister makes mention of the multicultural heritage this bill intends to promote. Mr. Speaker, we could promote the multicultural aspect of our society actually without a bill. However, I do think the promotion of culture, whether it's multicultural or otherwise, is a worthwhile objective. The fact that citizens of every ethnic background have decided to come to the Province of Ontario speaks quite highly for the province. I think it likewise would lead one to believe that they should, or must have been, most welcome on their first arrival into the province.

The arrival of the ethnic community has made the province by far a better place in which to live. We could have developed a province here strictly with the two founding races, or I should say three, the French, the English, and the natives who were here. However, that would be the equivalent of really building a home, say with bricks, with mortar and with maybe wood. You can build a substantial and a good home in that fashion, but just think how much better a home you could build were you to put windows in it and were you to put doors in it, were you to put other means of entrance and exit as well as other means of looking out of the home. I look upon the various cultures that have come into the province as being doors and windows in that home. The home is by far a better place in which to live when you do have the windows and the doors, plus a variety of furniture and different decorations. I think the various groups that have come into the Province of Ontario have done just exactly that. They have made the Province

of Ontario a much better place in which to live.

Mr. Speaker, it was back in 1960, when I first spoke in this Legislature, that I asked for the implementation of a ministry of sports and recreation. At that time, Mr. Speaker, having had extensive background, not only in the teaching field but also in the recreation field, I wondered why government wouldn't have implemented or wouldn't have copied a lot of the good ideas that have been in operation in other jurisdictions. Having competed as a coach in Olympic competition, in world competition and Pan-American Games competition, Mr. Speaker, and having had pleasant associations with athletes from all parts of the world and found they are just as nice people as are the neighbours next door to us here in our own communities, I couldn't see why this government, that is Canadian governments including the government of Canada, wouldn't have put a little greater emphasis on culture.

When I say culture, I include physical activity such as sports as a part of culture. I don't think culture is strictly drama or strictly the arts or strictly painting. I think culture is also part of the physical culture. It is part of simply playing cards, it could be part of being a spectator at athletic competitions. It could also be directly involved in the various types of athletic competition.

Mr. Speaker, back in the early days in 1960 when we had what was then called the Department of the Treasury, I had noted that only $28,000 at that time was being devoted toward the development of fitness. We are spending $28,000 to promote fitness in the Province of Ontario in 1960, and at that same time we were spending some $200,000 to develop race horses. So you can see, Mr. Speaker, this province certainly has come a long way. They have finally seen the light and they have finally decided that our youth and our people are by far more important than the development and the breeding of race horses.

Mr. Good: Now they spend $1.8 million to develop race horses.

Mr. B. Newman: Now they spend $1.8 million toward the development of race horses.

Mr. Speaker, as a result of criticisms levied in the House by myself and members from the New Democratic Party, as well as members from the government side, the hon. Premier of the day, John Robarts, set up on May 8, 1964, a select committee of this Legislature to look into the problems of youth. That was going to cover the whole area of youth. I noticed when the minister made her introductory comments the fifth aspect of her programme was devoted to youth. The terms of reference of the select committee of 1964 were, and I'll read, them:

> That a select committee of this House be appointed to conduct a comprehensive inquiry into and report upon the special needs of youth, with particular reference to educational, cultural, recreational and employment opportunities, as well as the health, welfare and sports facilities now available to youth and the steps to be taken to ensure a wider participation by youth in the life of the community.

What the bill purports to do, Mr. Speaker, is to add to the original select committee's terms of reference, to add, really, a ministry for the cultural aspect of our community.

The report, Mr. Speaker, does make some substantial recommendations. I intend to refer to this report in the hope the government will follow some of these recommendations in the establishment of this new ministry, so that a lot of the problems pointed out by the select committee can be resolved—not in the fullness of time but much sooner.

The very first recommendation of that committee, when it did finalize its report, was that a separate provincial department of youth with its own cabinet minister should be formed at the earliest convenience of this Legislature.

This Mr. Speaker, was back in 1966, if I'm not mistaken. In fact, this report was referred to as the Apps report, because it had been chaired by the hon. member for Kingston and the Islands, (Mr. Apps) who has had a wide background in youth work and in sports and recreation.

So you can see, Mr. Speaker, that the committee of the day in its first recommendation actually asked the government to set up something similar to what has been set up today. I would say actually it is what has been set up, or that what has been set up is really the recommendation of the select committee of youth back in the 1960s. What they have simply added to the title is culture.

Mr. Speaker, before you can come along and develop recreation programmes, and good recreation programmes, you need the personnel to assist in the developing of the programmes. One of the recommendations of that committee was that every elementary school teacher should have physical training qualifications to meet a minimum standard

of physical education requirements for students in the elementary schools. So you can see we are attempting here to build a very strong base if we intend to have fairly good recreational programmes.

Most of my comments concerning the recreational aspect are going to refer more to physical education and sports activities than to the cultural activities that my hon. friend from Port Arthur will refer to when he looks into the arts and drama.

Another recommendation, Mr. Speaker, was that more incentives be given to encourage elementary teachers to gain proficiency and qualifications in physical education and thus raise the standards in that subject.

The third was that elementary and secondary school building programmes should consider the special needs of physical education classes.

This was suggested back in 1966, Mr. Speaker, and really nothing has been done in that aspect whatsoever. So you can see that in spite of the fact that a report has been submitted to the government, they have disregarded the report in that aspect. Were we to have a fairly strong physical education base in our elementary schools, if we only looked upon it as being an assist toward the better health—both physical and mental—of our students, then it would have been worthwhile.

One of the other recommendations of the committee was that there be a greater use of the schools. This recommendation was also heartily endorsed by the committee studying the utilization of educational facilities. In 1966 we recommended this, and in 1971 we had to have a select committee look into the greater use of the schools. The recommendations had been made in 1966. Another committee was set up sort of to study the first committee's work and to once more endorse a community use of school facilities.

I know the Minister of Education (Mr. Wells) has introduced a programme whereby he will attempt to maximize the use of school facilities. I applaud that. I think that is good. In some communities we have had almost maximum use. In other communities, there has always been the dollar sign that has prevented a greater use of school facilities.

No programme of culture or recreation would be complete if it did not take into consideration the new Canadians, the many thousands of people who have come to our shores and have decided to settle in the Province of Ontario. The minister did mention that as being the third aspect of the programme—that is, looking into the multicultural aspect of this legislation, that would allow these citizens to get to enjoy the fruits of being a Canadian citizen and to adjust to a new way of life.

One of the things that I did not hear the minister mention was something that had been brought up by the select committee looking into youth. I'll read the recommendation: "That equality of opportunity, of education, recreation and job opportunities be provided for our Indian citizens." I think that we should pay special attention to our native people, our Indians, and our Eskimos—the first citizens of this country—to see that they should not be simply disregarded and lumped into the multi-cultural aspect.

Now also, in the overview of the setup of this ministry, I certainly hope that programmes are included in both the cultural field and in the recreational field for those who are handicapped. Too often we provide for those of us that are normal physically as well as mentally, but disregard those who have a disadvantage—a physical disadvantage or a mental disadvantage.

I would recommend to the minister, especially referring to the physical disadvantage, one of the recommendations of the committee studying the use of the sshools, and that refers to making facilities accessible to those who are handicapped. I think this ministry could look into that and see that the building code is enforced; and that all facilities, especially public facilities, be built in a fashion so that those who are physically handicapped have easy access and egress to to and from the facilities.

Mr. Speaker, the select committee on youth did make a series of recommendations concerning recreation. As recreation is the other half of this bill, I would like to bring to their attention several of the recommendations.

Recommendation 112 states that "leadership training camp facilities similar to Bark Lake be developed regionally." For example, northwestern Ontario, that is the Lakehead; southwestern Ontario, the Huron shore area; eastern Ontario, the Rideau district. And I would likewise include, but not recommended here, the Toronto area, where our maximum centre of population is located.

The facilities at Bark Lane are excellent, but they are utilized to their maximum. To me this should be developed on a regional basis if we intend to have good recreational programmes and to allow all of our citizens

to participate in recreation. We should be able to develop leaders in a series of facilities and a series of camps. I think the recommendation of the committee in regionalizing leadership training camp facilities makes good sense. I can foresee one up in northern parts in the Lakehead area—

Mr. Stokes: Quetico Centre.

Mr. B. Newman: Quetico Centre, or some other centre; I wouldn't care to say where it should be located. I think the people in the area would know better. But I think they should be regionalized so that not only southern Ontario has the advantages of such facilities, but those in the north likewise be treated on the same basis as we treat our residents in the south.

Likewise, these facilities should be winterized so that they could be used on a year-round basis. As it is now, they are used generally only for the few months in the summertime, because it's a little too cool in the early spring months or the late fall season. You don't get the maximum use of the facilities. I think by winterizing the facilities, by having all kinds of leadership training courses, we can develop a strong base of personnel who can go into the communities and promote and develop both leadership and good wholesome recreation.

Likewise, there was the recommendation that extension courses in leadership training be added to the high school extension programmes.

Now Mr. Speaker, another recommendation of the committee was that provincial certification be established for the recreational leaders. These would be sports coaches, drama, music and art coaches or teachers, playground teachers, and other part-time municipal recreation staff.

So you can see, Mr. Speaker, there are a lot of extremely good recommendations in the select committee's report that this new ministry could look into and adopt or improve upon in the development of its new area of responsibility. Likewise, this ministry should be involved in the designing and planning of new schools and recreational facilities so that at any time when facilities are designed and planned they are designed with the community in mind—and not just the educational community but with the whole community—so that they could make input and also so that in another three or four years we would not be building another complex, such as a community recreational centre, in another location, when that same centre could have been fastened, attached or built adjacent to an existing facility, to a school.

In this way we could have multi-use of our school facilities. Gymnasiums, swimming pools, auditoriums and playing fields would not only be used by the school but would also be used by the community whenever the school was not actually using them.

Another recommendation of the select committee, Mr. Speaker, was that the province encourage and promote the establishment of municipally-sponsored co-ordinating councils made up of representatives of all youth, recreational, health and welfare agencies in the community, and this council should co-ordinate all youth programmes and, in co-operation with the province, promote the health, recreational and cultural activities of the community.

I would alter that last sentence so that it would read, "co-ordinate all youth and recreation programmes" etc.

A further recommendation of the committee was that a department of youth—and in this instance that would be the Ministry of Culture and Recreation—should have a registry of information and make it available to youth-serving agencies, regarding educational opportunities, welfare policies, recreational facilities, as well as employment opportunities for youth. Some of these may not actually fit into the terms of reference of this new ministry, but I think the areas that do fit into the terms of reference should be implemented.

Likewise there should be exchange visits. Exchange visits should be a responsibility of this ministry; a provincial government policy of encouraging youth visitations to other provinces. There are exchange visits. I do understand that, Mr. Speaker. However, that should be widely expanded and it should not be such that only those who are affluent get the opportunity to participate in exchange. I think we should select students from all strata of our economic society. We should not only allow those who have the financial wherewithal to participate in exchange. Students from all walks of life—I shouldn't say walks of life—from all age levels as well as from all financial levels, should have that opportunity to participate in the exchange programme.

There should be research done in recreation, and substantial research. I could make mention of the research being done at the University of Windsor under Dick Lorearte in his school of health and physical education. I think what they are doing there is

worthy of looking into on the part of this ministry, for the ministry to absorb some of the ideas and if they are worthy of implementation, to implement them.

The province should undertake a research programme in recreation designed to get the information necessary to implement a sound recreation programme for people of all ages in the province. The following are only a few areas that need research:

(a) A study to find ways of combining physical fitness with recreation for the youth of this province. (b) A research programme into overall recreation needs of youth; (c) A study to identify ways to secure more publicity for the positive achievements of youth; (d) A study of those recreation skills that may be useful in later years of life and when such skills should be taught.

Too often, some of the skills that are taught in the school physical education programmes have no carryover interest whatsoever. I think phys ed programmes in the schools could be updated so that the activities in which the students are involved do have carryover interest and so that after an individual leaves school he doesn't become a spectator athlete but can still enjoy life.

For example, you curl at all ages, and the same is true of swimming. But it wouldn't necessarily be so in diving or football. You certainly could play tennis, badminton or ping-pong at all ages.

(e) A study of methods employed in other countries in the area of recreation; (f) A study of the economics of effective recreation and its appropriate share of the tax dollars; and

(g) Special research into the area of recreational programmes for the handicapped, the deaf, the blind, the retarded, the emotionally disturbed, haemophiliacs and many others.

So one can see they certainly do point out a lot of areas that this new ministry could become involved in.

Likewise, I could mention to the minister that the Junior Ranger programme, developed by the Ministry of Natural Resources, is an extremely worthwhile programme; I strongly recommend it to my own constitutents. But I would suggest to the minister that she look into widely expanding that programme so that more girls can partake; and so that those from a lower financial level can participate, also possibly arrange for some subsidy so they don't even have to pay for transportation to the programme. Quite often families hesitate to allow their children to go because they cannot afford the transportation to the camp site.

I would like to see the programme widely expanded, and I would like to see it regionalized if possible. Some of these programmes could be centred on provincial parks, even in southwestern Ontario and in southern Ontario. I would also like to see a substantial improvement in the pay to the rangers so that it is not only a learning experience but also financially rewarding to them.

Mr. Speaker, there is also a need for community-centred sports facilities, and I know the minister will look into that; I mentioned that earlier in my comments.

In the cultural arts field, some of the recommendations have already been taken care of by the ministry—not by this ministry, but by other ministries. For instance, the Province of Ontario Council for the Arts should be responsible now to this ministry. That was a recommendation made in 1966 to the committee on youth. Now I see it will be a responsibility of the Ministry of Culture and Recreation.

Increased amounts of money should be made available so that all young people could participate and enjoy the various types of cultural activities. It shouldn't be the realm only of those who are financially well off to be able to enjoy the cultural activities.

Mr. Deans: On a point of order, Mr. Speaker, we are rapidly getting to the hour of 1 o'clock; and if we're going to sit beyond 1 o'clock, I'd like to know so that we might make appropriate arrangements.

Hon. S. B. Handleman (Minister without Portfolio): Mr. Speaker, I wonder if I might move that we do sit beyond 1 o'clock so that perhaps the debate on this bill could be concluded.

Mr. Deans: Well don't just say it quite that way. I'm not going to oppose the minister, but it's more than just so the debate on this bill might be concluded. Could I have an undertaking as to what we are going to complete this afternoon, now that it is 1 o'clock?

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it was my understanding that the government had some interest in certain other bills, and if we could get the information requested by the House leader for the New Democratic Party, we would then be able to verify exactly what is expected of us before Her Honour would be coming in.

Hon. Mr. Handleman: It is my understanding, Mr. Speaker, that orders 11 and 13 were

to be debated this afternoon. For that reason, we would ask that the motion to sit beyond one o'clock be approved.

Mr. Breithaupt: The Minister of Transportation and Communications is then not going to be proceeding with that other bill at this time? Is that correct?

Hon. J. R. Rhodes (Minister of Transportation and Communications): No, Mr. Speaker, the bill on which I had wanted to complete debate this afternoon was order No. 11—just No. 11.

Mr. Breithaupt: Just No. 11? The minister will not require the other two bills standing in his name at this time?

Hon. Mr. Rhodes: That is correct.

Mr. Breithaupt: Thank you, Mr. Speaker.

Hon. Mr. Handleman moves that the House sit beyond 1 o'clock p.m.

Motion agreed to.

Mr. B. Newman: Mr. Speaker, continuing my comments, I wanted to bring to the attention of the ministry the recommendations concerning cultural arts. This happens to be recommendation 204, in case someone wants to refer to it. It recommended that the Department of Education take immediate steps to improve the number and quality of elementary school teachers of the cultural arts. More curriculum time should be allocated to the cultural subjects of art and music to give students a better appreciation of these subjects.

The next recommendation stated that increased amounts of money are necessary for the Ontario Council for the Arts to provide fuller opportunity for all young people to participate in and enjoy cultural art activities.

Mr. Speaker, another recommendation was that all communities in Ontario that do not have facilities for the performing arts examine their present and future school building programmes with a view to incorporating these much-needed facilities, that is an auditorium complete with staging accommodation and recreation needs, for example, and that all of these be incorporated in educational building projects present and future. I don't think that necessarily all schools should have auditoriums, or that all schools should have sizable gymnasiums, but wherever feasible they should be developed, especially in some of the smaller communities that lack these facilities.

Mr. Speaker, under the music portion of the recommendations, I bring to the attention of the minister the recommendation that an integrated plan of diversified music instruction on an itinerant basis for the Province of Ontario be sponsored by the co-ordinated efforts of its major musical conservatories financially supported by provincial government grants. I know there are grants given and I know some of the organizations do travel around the province in presenting programmes of a musical nature. Those are worthwhile. I think there could be substantial improvements there.

Another recommendation was that local youth agency councils assist in originating a programme for young people who want musical instruction in their communities and arrange for the use of itinerant music teachers for them. I have had requests from schools in the community which would like to set up music education programmes on an after-school basis. One of the problems is that in the inner city schools there isn't financial ability on the part of the parents to purchase musical equipment and the instruments necessary.

Another recommendation was that music camps be included in an expanded planned campsite programme sponsored by the Department of Lands and Forests, now the Ministry of Natural Resources. Camps in strategic sections of the province should be made available to musical organizations prepared to give musical instruction in summer camp settings at a nominal charge. Then the last recommendation on music is that grants should be made to approved schools and conservatories of music for scholarships to encourage talented students.

Mr. Speaker, the select committee report does contain a substantial number of additional recommendations, but I am only going to make mention of one. It did strike me as strange that the government, after having set up a committee which came down with good recommendations and supposedly interested in the overall fitness of our youth, has hesitated even to consider the implementation of this recommendation. It says there should be a minimum of at least 120 minutes a week of physical education taught each week from grades 7 to 12. All secondary schools should make available physical education courses for grade 13 students and every effort should be made to encourage students to participate in these courses. Physical training courses throughout secondary schools should concentrate on the carryover sports activities that will assist students to

maintain good physical condition long after school-leaving age. It is strange, Mr. Speakers, that physical education is no longer a compulsory subject in our secondary schools, and in our elementary schools is only given to students on a very ad hoc basis.

Mr. Speaker, I support the setting up of a Ministry of Culture and Recreation. I simply wondered why it took so long for the government to act in this capacity. I have not spoken to the extent I would have liked to have spoken concerning other cultural aspects of our community, but I know others who will follow me will probably stress that a little more than I. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Speaker. I was going to support the bill. In fact, it probably would have been better if the provincial secretary hadn't spoken on it before we voted on it. There I was, sitting looking at it; thinking yes, we should have this ministry; and then she killed it. She said the whole matter could be attributed to the member for Bellwoods. I've got to tell you, Mr. Speaker, that if I thought for one minute that what this ministry was going to do bears any relationship to what was done by that member while he was the Minister of Social and Family Services and whatever other ministries he held, for example when he was Provincial Secretary, I would have to think this ministry would be a waste of both the taxpayers' money and the time of this Legislature.

I found the actions of the member for Bellwoods, nice fellow though he is, to be most objectionable in terms of the way in which he dealt with the ethnic community in the Province of Ontario.

Hon. L. Bernier (Minister of Natural Resources): That is totally wrong.

Mr. Deans: Anyway, I want the minister to understand, there's no point in saying she was speaking on behalf of the members of the Legislature. She may have been speaking on behalf of the government or she may have been speaking on behalf of some other members, but she was certainly not speaking on my behalf, not in that regard.

We're going to support it, but I have some worries about the ministry. I've got to ask, first of all, whether there is assigned to this ministry a sufficient amount of work to justify the establishment of a ministry? I've got to ask the question whether in fact the ministry won't simply become a promotional agency for the government?

One comment made by the provincial secretary about one of the responsibilities of this ministry might have made me wonder just what, exactly, the ministry was going to do. She said that within this ministry would be the citizens' inquiry branch. I've got to ask myself if that's an appropriate place for the citizens' inquiry branch. I tend to think, if you want to know, Mr. Speaker, that the citizens' inquiry branch should be an adjunct of the Legislature and not assigned to a ministry in this way.

I tend to think that a citizen's inquiry branch ought to come under the general heading of a legislative function and should probably be assigned under the Office of the Speaker rather than under any ministry, because it tends to become a mouthpiece for the government, and I think we've got to avoid that wherever possible. So I urge the provincial secretary to consider not putting it in this ministry. I urge that the citizens' inquiry branch not become a part of this ministry and that rather it become a part of the legislative operation under the bill we passed just prior to this one.

I listened carefully to what the minister said and I've got to conclude that she doesn't appreciate two of the more important functions that any ministry of culture might undertake. First of all there wasn't a single mention by the provincial secretary, nor has there been a single mention by anyone else of the role the ministry will play on behalf of the native people of Ontario.

It was not mentioned how we are going to develop and assist in the development of all of the very worthwhile values and take advantage of all the contributions that the native people of the Province of Ontario have to offer; and that should be one of the primary functions of any ministry of culture.

Then, next to that, there is the whole matter of the francophone community, the French Ontario factor. That has not received any attention from the ministry. There was no discussion of that. There was no indication there was going to be any particular attention paid to that.

I would have thought that those two things alone were perhaps the most important functions of any ministry of culture.

It's not just simply a matter of being at the boat or by the aircraft when people arrive from another land to settle in Ontario. It is not just simply being there to hand out the information about what this great government

has done on behalf of the people of Ontario. That's not the function of a ministry of culture, but that's what I'm afraid this ministry of culture will become. That's why I have some real reservations about it.

That's why I sat and I wondered seriously whether I could support the establishment of this ministry. The more I thought about what was being said about it and the more I thought about what was being left out of it, the more I appreciated that it was going to become something like an advertising agency for the government, that it was simply going to be making sure that there was an adequate distribution of the government's propaganda—and that's what worries me.

The provincial secretary shakes her head and smiles, but the fact is that's what the member for Bellwoods did. That was his function. That's exactly all he did. When she ties it into that, I begin to really worry about it.

There was no honest-to-goodness effort by this government over the years to develop any sense of belonging within the ethnic communities of the province, other than to go and to shake a few hands at the right time of the year and to announce when their independence day was from a Legislature seat.

There was no honest attempt over the last 10 or 15 years to develop any sense of belonging among the ethnic communities. In fact, there was a tendency on the part of the government to hive them off and separate them.

I think that was why I shuddered when the provincial secretary sort of referred back to days gone by and the way in which this was developed as a result of the actions of those days. Because if all the provincial secretary is talking about is a continuation of the kinds of programmes and the kinds of attitudes that have prevailed toward the multi-cultural society of Ontario, then all she is talking about is some kind of government promotional programmes. That's not enough, it is not nearly enough.

The provincial secretary talked of culture and recreation, and I listened to the comments of my colleague the member for Windsor-Walkerville as he read into the record the recommendations of the select committee on youth.

I think we all could have read those for ourselves. But that was fine; he chose to read them into the record to emphasize the point he was making. And even if all of those recommendations were to be adopted, I still wonder if that justifies a ministry. I wonder if that really provides sufficient things for a ministry to do.

We've got municipal affairs tied in with the Treasury, the largest single operation of government. We have municipalities being ignored day after day because of the heavy work load of the Treasurer (Mr. White) and because the government hasn't yet seen fit to designate a person who will be responsible for the activities related to municipal affairs. Yet we can find time to set up a Ministry of Culture and Recreation.

I wonder if the priorities of the government are right. I wonder if this is, in fact, a priority matter, given all of the wide ranging problems that have to be resolved that are day-to-day necessities of the people in the province.

I wonder what the government is really going to do. What is it going to do in recreation? Is it going to continue to hand out grants to the municipalities so they can build additional ice rinks? Well, we don't need a ministry to do that. Is it going to make sure, as I said before, that everybody is met at the plane so that someone can shake their hand and hand them a brochure telling them about the great Province of Ontario and what programmes are available to them? We don't need a ministry to do that.

What exactly is this ministry going to do? It's going to co-ordinate the symphonies across the province. It's going to co-ordinate the ballet. It's going to make sure there is adequate theatre. It's going to make sure there is an adequate amount of art and culture available to people.

How is that to be done? The government has never voted a sufficient amount of money at any time that I have been here, prior to my coming, to enable anything of any magnitude to take place.

We are still talking about Toronto-centred operations. For the remainder of the province, in a cultural sense the government has done little if anything to try to take what is here, available on the doorstep of all of the Metro people, out into the community in order that the people of Thunder Bay or the people of northwestern Ontario or the people in northeastern Ontario, or even in eastern Ontario, can take advantage of it and can be a part of it. So the provincial secretary has to tell me what amounts of money she is going to have made available in order that we can in fact allow, as a right, all of the people across the province access to the culture that is available in the Province of Ontario, because that is what a cultural ministry would have to do.

Is the provincial secretary going to tell us about the programmes she is going to develop in the whole area of recreation? Surely she is not going to have a study of ping pong, much though I love the sport. But what is she going to do? What is it that she wants to do within this ministry that isn't now being done and that justifies a further enlargement of a cabinet that is already far too big?

The people of the province are worrying. They are worrying about expenditures in government. They are worrying about larger and larger government all the time, and this is yet another ministry that has to be answered for. Maybe the provincial secretary could tell us what this ministry will do.

Section 6 of the bill talks about "preserving and maintaining the cultural heritage of residents of Ontario with full recognition of their diverse traditions and backgrounds." A lovely policy statement; empty, hollow, meaningless.

"Promoting access to the benefits of citizenship and of active involvement in the cultural and recreational life of the province." What does it mean? That's what I don't understand.

"Stimulating the development of new forms of cultural expression and promoting the concept of individual and community excellence." What's that? What does that mean? I don't understand it.

I don't understand how in heaven's name anybody could—relate, I suppose is the right word—relate to those kinds of meaningless, empty statements. Does it mean simply that the government is going to continue to promote that which is already there? If it does: (a) It's inadequate; and (b) it's simply promotion on the part of the government.

"The minister shall perform such functions and duties as are assigned to him from time to time." Well, I think we deserve a little more than that in the Legislature. I think when the provincial secretary is asking us to set up a ministry, the least she can do is to come forward with the range of programmes, come forward with the range of ideas and say to us these are the things this ministry is going to do; these are the areas the ministry is going to work in; and the reason she is telling us these things is because the government has identified a need which has gone lacking in the Province of Ontario.

So tell us, for goodness' sake, what this ministry is going to have to do in order to fulfil those very nice, very empty statements about its responsibilities.

"It is the function of the ministry to advance and encourage responsible citizenship through the process of cultural and recreational development . . ." Okay, so be it. But I don't know, and I am saying now that I have very serious reservations about the bill.

I don't understand what the ministry is all about and I don't know why the ministry is being set up. I know it's a nice gesture to a great number of people across the Province of Ontario that the government has finally not only paid lip service, but in fact finally set up a ministry to deal with their problems; except that nobody quite understands what the ministry is going to do, nobody understands what the ministry is all about, nobody really knows whether what the ministry will be charged with will in any way benefit anybody anywhere.

What is going to happen with the ministry is this, it's going to be the same kind of operation that was brought about by splitting Treasury up and making Revenue a separate ministry. We will be asking the minister some day about a programme and we will be told he only administers that programme; the responsibility for that programme is somewhere else, in another ministry. It will be the difference between the Treasurer and the collector of taxes, the Minister of Revenue. The Treasurer will make a policy and the Minister of Revenue will put into practice how it's going to be done. I just don't see it.

I suppose we can only judge it after we have looked at it. I don't see any point in opposing it; because what is there to oppose? Really, it's like motherhood; everybody loves it—or most people do anyway. But the truth of the matter is that it doesn't carry with it any weight, it doesn't carry any direction, it doesn't show any initiative, it doesn't show any understanding; all it shows is that the government has decided, in the year 1975, immediately prior to an election, that it is going to try to pacify a great segment of the community which is being alienated because the government hasn't really done anything to try to satisfy their problems with regard to the maintenance of their culture and the development of their contribution to society.

I think it's political chicanery and I think that the whole thing is simply a whitewash. They could have had this ministry if they had come forward with the programmes that were needed in the Province of Ontario, the programmes that would've helped to fund the very culture that they are talking about

preserving. That's where most of the culture falls down, in lack of adequate funding. That would have helped to distribute throughout the province all of the culture that is so heavily centered in Metropolitan Toronto and given access to the rest of the province. What is required is a programme to do it. Not just simply an idle goal or an aim, but an actual programme; a distribution of funds and an opportunity for people to act.

Now if they are saying that, then say it; bring in the programmes and then tell us that as the result of all of these programmes that we have we now think we need a ministry to oversee them all. Don't set up a ministry first and then start looking for things to do. The things have to be there before the ministry is of any value; but they are not already there, and that's where the government's difficulty is going to lie.

Mr. Speaker: The hon. member for Port Arthur.

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker. I rise to support the bill, a little more enthusiastically than my colleague who has just spoken, but with some of the same very real reservations. I am disturbed, frankly, by the definition in the bill, and the definition by implication in the minister's statement. It seems to me to be really quite amazing that neither in the minister's statement nor in the bill does the word "creativity" occur, nor does the word "imagination"; and those two things seems to me to be the essence of cultural development.

I am disturbed that there was no mention of Franco-Ontarians or the native peoples of this country, and I want to put it to the future minister, and to whoever is seconded into that ministry, that the encouragement has to be to community-based cultural activity; that the trend to high-visibility projects, which find so much favour with this government, even currently in sports and recreation to the detriment of community development, must be reversed.

I feel very strongly about the development of our culture in this province, but I also feel very strongly against the culture vultures—those people who look upon culture as an activity for the elite, for the well-to-do, and who think that going to an opening night at the Royal Alexandra Theatre is the height of cultural participation and activity.

I'm disturbed by the emphasis on normalcy in this bill. I am frankly disturbed by clause 6, which says: "It is the function of the ministry to advance and encourage responsible citizenship through the process of cultural and recreational development."

One of the primary jobs of decent, imaginative, great creative art in this world has been to encourage irresponsibility. Michaelangelo was irresponsible and, because of the shock of the visual impression of his work, he causes people to rethink their normal concept of responsibility. In other words, I am afraid that the definition of culture implicit in this bill is a Philistinean one.

I take the minister at her word ,and I take her intentions to be honourable ones, because in this respect I think the minister who is presenting this bill for second reading has the right intentions and the right directions. I have worked with her on a committee of this Legislature and I understand her personal desires, but the record of the government in some areas gives us cause to pause.

I want to speak very briefly, if I might, about one of the things that the minister and I agree on very much. That is, the cultural development and recreational development of the areas in the province that have felt that deprivation for some time—northwestern Ontario and northeastern Ontario. If I may be immodest, one of the reasons that I prevailed upon my colleagues and argued very strongly with them to support the bill, was so that we could give the wherewithal in a practical way and the prestige that is necessary to the creation of a ministry to these two aspects of our lives, culture and recreation.

Mr. Speaker, we spend enormous amounts of money in welfare grants, in community and social services grants and in health; and rightly—certainly it's a first priority of my party—we spend enormous amounts of money to try to ensure that people have a decent, basic materialistic standard of living. But the reason that I personally support this bill, and persuaded my colleagues to do so, is that I very firmly believe that it is no good simply to have health grants to keep a body healthy, if that person has nothing to be healthy for. If that man cannot make use of his good physical health, if he cannot make use of that to develop cultural and intellectual health, then there isn't much use in human terms.

I want to say that I think the Ontario Arts Council, as it's now called, has done quite a magnificent job within the limited framework that it has been able to operate in. I think of all the agencies of government that I

have come in contact with that is one that has done a superb job. I've had quarrels with them. I have quarrelled with them about closing the regional office in Thunder Bay and I have quarrels about some of their priorities. But I think, within the framework within which they have to operate, the Ontario Arts Council has done a superb job and we should give credit to that in this House.

However, one of the things that does sort of bother me from time to time is that even with an agency such as that, we still give, I think, an undue proportion of our grants to the established theatres, performing groups, and well-known individual creative artists. I have nothing against the Stratford Festival. In fact, it's a fine festival and it produces high-quality drama. I often enjoy their shows myself. They've gone through their growing pains and they've done their development, and I'm not entirely sure that we should still be giving them the largest chunk of the pie, which we do. We get into that trap. I would like in terms of theatre to see more support for the experimental, creative, offbeat theatres that have sprung up in Toronto and in other areas of the province. I would like to see government take more chances in terms of the grants that they give to developing theatre.

Who, four years ago, would have predicted that Tarragon Theatre, for example, in Toronto would have been the most single dynamic force in helping to develop creative Canadian plays? It's the kind of stuff that Tarragon is doing right now with the Donnelly trilogy that I think we should be encouraging in order to develop a consciousness of what our province is about. It's that kind of theatre. James Rainey's brilliant writing is not chauvinistic, is not nationalistic and is not narrowly patriotic, but it tells us a lot about ourselves and our heritage. In a sense, James Rainey's work is to stimulate us, to shock us and to teach us to dare to be a little irresponsible.

In developing the touring programmes, I was a little disturbed when the first press release about Artario, the travelling art thing from the art gallery, came out announcing the move out of the art gallery. It was the first step along the road to province-wide touring. Do you know where they went, Mr. Speaker? To Yorkville. That's one small step, but it's not enough to satisfy me; and symbolically, damn it, it was the wrong move. Symbolically, the first one should have been to Red Lake or Elliot Lake, just in terms of PR. Or if your first move had to be to Yorkville, keep it quiet; don't get a press release about it. Just let people find out about it.

Now, two or three very quick things, if I might. I find it very, very disturbing that in the minister's statement there was no mention of book publishing. I think in terms of the overall cultural development of our province, the book publishing question is the most urgent at the present time.

I would like to see that be one of the top priorities of this ministry within the next few months. We have had that problem detailed with a very detailed report on the provincial level and at the federal level. I just find that—and I don't want to say it provocatively—a shocking omission. The question of book publishing in Ontario is a complex one and the thinking toward some of the solutions is not going to be easy at all. But it was not mentioned.

I think we seriously have to look at the whole distribution system, particularly in the paperback industry. I would hope that this ministry could take some initiative in that, but I imagine they will have to co-ordinate that with Consumer and Commercial Relations and with other ministries.

I think the real key to solving the book publishing problem is to find some method of wide distribution of economically priced paperbacks; and they need not all be pulp things. We have a good stock of what could be widely read books. Jonathan Manthorpe's latest political book—although you people might not agree with it—I think would be read by a number of interested people throughout the province if it could be marketed in a paperback form at a price somewhere around $3; and of those kinds of books, such as Kaplan's book about the CCF in 1943, those political science ones and the history ones, as well as the traditional ones that we have in arts and letters.

I think the second thing we have to look at, in terms of trying to salvage the book publishing industry in this province, is to really look at the whole school textbook question.

Now, I personally don't agree with the answer, that, in fact, we have to subsidize the book publishing industry by reinstituting the direct grant to the school boards on condition that they use it to buy books for the kids.

But there has been a dramatic drop in spending on textbooks or books for classroom use by school boards over the last three years. I believe, if I recall—and I am just going from memory here because I

didn't have time to get together all my files —but I believe the drop went something from an average of $8 to $10 to somewhere around below $3. That's indicative of the problem. I don't know what you do to solve it, but surely we must solve it if we are going to develop Canadian materials for our school system. That must be looked at.

The third area of book publishing that the ministry should give its urgent consideration to is simply that whole area of continual takeover of Ontario companies by foreign firms. I think that is serious. I think independent Canadian book publishers need a very, very large helping hand.

Now, the second item that I want to speak on is libraries. I was surprised that the minister doesn't seem to indicate in the statement that the library area will be under this ministry. It seems to me to be a natural for it. I know when they take things out from other ministries, hopefully at least, there are cross-ties within the branches of ministries. While I can see some reason why libraries might stay within Colleges and Universities, I would hope that they should be seconded to this ministry, because I think the libraries in this province are another area that need a massive transfusion.

I've spoken about that at length in estimates debate so I don't do it here, but libraries, once again, in the latter part of the 20th century, can be marvelous creative places. They often are in this province, within the limited financial help that they get. In fact, libraries, it seems to me, are one of the wonders of our province—that they continue to exist and that the librarians continue to exist with as much flair as they do. Certainly, that seems to me to be a top priority.

I just want to summarize briefly a little incident that indicates why I have some reservations, but not enough to make me oppose the bill. For about three years now —it's more than that, it's five years—there have been people in Thunder Bay working toward the development of an arts complex there. They had a meeting with the Premier (Mr. Davis)—at the end of August, I believe —about the possibility of some provincial funding. They left the meeting almost convinced—certainly it was the Premier's strong emphasis to them—that the government couldn't really support an arts complex on its own in Thunder Bay; it would have to be a combined arts and sports complex.

I hate to be immodest, but I happen to have 16 years' experience in backstage activity in community theatre, and I actually once had an offer to undertake that activity at the professional level. There are a lot of members in this House who wish I had taken that, I'm sure.

Hon. D. R. Timbrell (Minister without Portfolio): They all sit around the member.

Mr. Foulds: Pardon? They all surround me? I would think that's possibly true, aside from a little island here in my immediate vicinity that fends off these waves.

A combined arts and sports complex just "ain't gonna work." There's no way, technically, that they can make that facility a good one and an economical one, strangely enough. If the government is thinking along those lines, simply look at the Duluth Auditorium sports complex. It doesn't work. It only works with massive state and municipal subsidies; partly because certain parts of the building have to be dead if you're going to operate other parts.

An arts complex could very well work in Thunder Bay. I'm not sure about the ideal size, although I did a good deal of technical background work on the one that is being proposed there. The reservation I have is the easy acceptance that we can't physically combine, under the same roof, the physical sports things with culture things. I simply cite to members the gymnatoriums that we've built in high schools throughout this province as a fine example of where it doesn't work. You probably get a decent gym but never a good auditorium. They just don't work in terms of acoustics and lighting; they don't work because you don't have backstage space; and they don't work because you have no proper sight lines.

I have not spoken at any length on the recreation aspects of this bill. I certainly think they should receive encouragement. As I did indicate earlier, I am disturbed by the high-visibility emphasis on things like the Ontario winter games, even though they are taking place in Thunder Bay and I'm glad to have them and I'll be participating in them—

Mr. Deans: Is the member running, jumping, skiing?

Mr. Foulds: I am ski-jumping on a toboggan, down a small hill.

But what they are doing there in terms of programming for the winter games is excellent; it is how sports and culture can work. They are developing a very full cultural programme to run alongside the games programme. If you remember, Mr. Speaker, they

were able to do that in ancient Greece. In fact, the drama festivals and the games often took place at the same time. If you take a look at ancient Greece, Mr. Speaker, and look at the marvellous auditoriums that still exist there, you'll notice that they never combined any of those with their running tracks; not even at Olympia or Delphi. They had them quite separate, but they ran the events simultaneously.

Now my friend from the back here has just given me the beginning of what I think are the saddest three words in the English language, and that is what you hear at 11 o'clock in the evening in every British pub: "Time, gentlemen, please." I think that's not a bad note on which to end, because I want to emphasize that I don't have a snobbish view of culture; I believe that the fellow having a beer in a pub is also taking part in the cultural activity of our province.

Mr. Deans: And it doesn't take a ministry to run it.

Mr. Foulds: My colleague interjects that it doesn't take a ministry to run it. However, the Minister of Consumer and Commercial Relations (Mr. Clement) is not doing a bad job, although some of his sub-agencies are. I would hope that we would second the LLBO and the LCBO to the Ministry of Culture and Recreation and that those activities would truly come under the minister's purview as well. Thank you, Mr. Speaker.

Mr. Speaker: The hon. minister.

Mr. F. Young (Yorkview): Why doesn't the future minister take this on?

Mr. Breithaupt: I am glad to see that there is someone present now who can take on this portfolio.

Hon. Mrs. Birch: Mr. Speaker, I am pleased with the support which the members have expressed in this bill, notwithstanding the member for Wentworth—

Mr. Deans: Right.

Hon. Mrs. Birch: —the remarks for the most part were very constructive and I appreciate them.

Mr. Deans: I have no confidence in the government, absolutely none.

Hon. Mrs. Birch: I am sure the remarks will be of great value to the new ministry as it organizes itself early in the new year.

The hon. member for Windsor-Walkerville mentioned a number of areas of involvement for the ministry, including its role vis-à-vis the native people. I should like to assure the hon. member that the community services division of the Ministry of Community and Social Services will be transferred to this new ministry, and it is expected that the Indian community secretariat will be included in that transfer.

As for the reservations or concerns of the member for Wentworth, may I say his concerns are ill founded. The citizen's inquiry branch will not replace and is not designed to replace the role of any MPP in any way. Its role is to assist in government administrative problems.

Mr. Deans: Doesn't the minister think, though, it would be better attached to the legislative branch than it would be to the cultural ministry?

Hon. Mrs. Birch: There are a lot of newcomers to this province who have difficulties with government agencies. To put it in an area where the focus will be on newcomers I think is a very good procedure.

Some concern has been expressed that there was no mention made of the Franco-Ontarians.

Mr. Deans: I understand that.

Hon. Mrs. Birch: Well the new Franco-Ontarian council for cultural affairs will report directly to this new ministry. So that is another area that I am sure has been helped.

I have already commented to members about the native people and our concern for them and about that function being moved to this new ministry.

Mr. Deans: I have umpteen press statements about the minister's concern.

Hon. Mrs. Birch: We have already given an indication of the six basic programme areas that will be part of the new ministry. Individual programmes are being transferred from the various ministries where they are already in existence. Many of them have been in existence for a long period of time. They are going to be brought together for the purpose of better co-ordination, and as the member for Port Arthur said for badly-needed emphasis in this area of culture and recreation.

The concern of the member for Port Arthur with respect to the exclusion of the word "creativity" is perhaps unnecessary, as one of the functions of this ministry is to stimulate "the development of new forms of cul-

tural expression and promoting the concept of individual and community excellence."

I would like to return the compliment to the member for Port Arthur. I think I got to know the way he feels about these particular areas as we served together on that select committee. I would like to assure him I am satisfied that this is certainly a development that is long overdue and something that this new ministry will be very interested in promoting, that is more community facilities, particularly in the northern part of this province.

Mr. Speaker: The motion is for second reading of Bill 180. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion:

Bill 180, An Act to establish the Ministry of Culture and Recreation.

Clerk of the House: The 11th order, resuming the adjourned debate on the motion for second reading of Bill 161, the Motorized Snow Vehicles Act, 1974.

MOTORIZED SNOW VEHICLES ACT
(concluded)

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I want to make a comment with regard to this bill. It has been brought to my attention by the Federation of Agriculture in York county that they still face the problem in this legislation of those who travel on their lands and do damage and are not apprehended. It's a problem similar to that which farmers face with regard to wolves or dogs running at large killing sheep.

In this bill if nobody can find out who did the damage, there is no one to whom the farmer can turn for compensation. In the case of the killing of sheep, there is a provision in the law for compensation. That certainly alleviates a problem that is not covered in this particular Act.

I would urge the minister to study the situation, since this is not in the bill and no provision is made for it in the bill, and to see if we shouldn't be using some of the fees we are collecting from these vehicles for a compensation fund similar to the funds that are available for motor vehicles where there isn't an insurance coverage and for which there is now a compensation fund. In this way, farmers who can prove damage caused by the drivers of these vehicles, the cutting of fences, destruction of trees and things like that, can turn to some fund for compensation. I urge the minister to take that into account.

Mr. Speaker: Is there any further discussion before the minister replies? The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Mr. Speaker, I would like to comment briefly on the bill. I suppose we are indeed fortunate in having with us a number of the members of the select committee on snowmobiles and all-terrain vehicles that made an intensive and extensive investigation of the whole area of snowmobiles, and of course all-terrain vehicles as well. It was a very full inquiry which involved the receipt of briefs and oral presentations from persons from all parts of Ontario, and it included persons with varied interests—not only the persons who are actually interested in the snowmobile activity but others who are interested in the matter of mixing snowmobiles with automobiles, persons interested in the environment and other persons who were concerned about activities they felt might come into conflict with the operation of snowmobiles. It was in this open-minded and objective way that the committee studied the problem and received the representations from all interested parties.

I think it is significant that one of the basic recommendations was to recognize that snowmobiles are off-the-road vehicles. They were not designed to be on the highway, and it was for that reason the recommendation was that snowmobiles should be generally banned from the travelled portion of highways. I think there has been some misunderstanding and some misinterpretation of the intention of the committee and of this legislation in that regard. The chairman of the select committee is here and can make comments later if he wishes, and I imagine he will, in regard to this particular aspect of the recommendations and of this legislation.

There seems to be some feeling among the public that the intention of the legislation is to ban snowmobiles from the entire right of

way, in other words from fenceline to fenceline. That is not the intention at all. The intention is to keep them off the travelled portion of the roads with the proviso that if the local municipality wishes to have snowmobiles mixed with automobiles and trucks on its own local roads, then it has the right to pass a bylaw to permit that.

I personally do not think that is in the best interests of the public or of safety. There are, of course, situations where the shoulder or boulevard or road allowance is so narrow, as over bridges, that there have to be some exceptions, and that again is provided for.

So I believe the intention of the legislation manifests good sense, but I did want to speak on that particular point because I think that is of interest to the snowmobiling public.

Now with that there has been created a programme of trail development; not that trail development hasn't taken place in the past, but if we are to take snowmobiles off the highways, then of course we have to put them somewhere. It's important that the public, who own and operate snowmobiles and enjoy the snowmobiling activity, has some place to carry on that activity. That is why I think it important and even urgent that this plan of snowmobile trails proceeds, so that there will be a safe and probably more enjoyable area to snowmobile than to mix with the highway traffic.

Mr. Speaker, without getting into the other areas of the bill, I think that the provision for better identification of the machines will lead to better law enforcement and will certainly assist the property owner in identifying and ensuring that persons who are not wanted on his property, and who may even do damage to his property, can be reported and apprehended. I think these provisions for safeguarding the interests of the farmer are very important indeed. There is no reason whatsoever why a landowner who accommodates trespassers on his property should be liable, in some instances, for damages that those trespassers might suffer. I believe these to be steps forward.

I certainly endorse the provisions of the legislation. I think it is well founded. I think it basically accepts the adoption of the select committee, which of course was comprised of members of all political persuasions of this assembly and had unanimous support.

Those are my comments, Mr. Speaker, and I thank you.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Mr. Speaker, I would like to say a few words on this bill. As an owner of a machine and living in a region that has 14 snowmobile clubs, I feel the legislation is of very great concern to perhaps more people than one would realize; first of all, to the owners of machines who like to have their machine used in a proper manner and also to the people who, in certain instances, have been suffering inconvenience and noise and trespass and what not because of the indiscriminate use of machines. When they first came out a few years ago they were quite a novelty and I think people were even driving them around in the cities, until they came under certain regulations, and cutting across lawns and creating general havoc.

Well, that day has long since gone. It didn't take long for people to realize that some control had to take place. I have met with the president of the association which governs the 14 clubs in the Waterloo region and they were greatly concerned about certain things that might be in the bill. Generally speaking, they agree with most of the provisions of the bill. Provisions must be made for regulations and provision must be made to make the snow vehicles acceptable in the areas in which they are now being used. I suppose the trails which have been developed by these 14 clubs will now be more or less integrated, and the section which was of great concern to the members of the clubs was whether or not individual permission would be needed for each member of the club. This has been provided for, but I see a great many other problems regarding the matter of written permission.

Maybe the minister could indicate what the intention is; whether, every time a group of snowmobilers come out of a bush or from a field, it is the intention to have a police officer standing there asking for individual permissions for those vehicles. This is very similar, I see, to the original apprehension of the public when the breathalyser test was put in. People said: "Are you going to have an officer standing outside a private party in a house or a hotel, and ask everybody coming out to take a breathalyser test?" In my view there is more argument for that than there is for an officer standing at the edge of the bush, and as 20 snowmobilers come through the bush to stop each one and ask on what authority they ride that trail. I hope that it's not the intention to create enforcement problems unless there are, in fact, complaints lodged that sections of the bill are being violated.

I must say by personal experience, in the area where I do my snowmobiling—and I

have given up snowmobiling anywhere near my residence because it's now impossible to get to the rural area without trailering it—in the recreational and summer areas of the province, there are hundreds of acres of unused farmland and bushland. I'm sure a person would have to spend an awful long time to find out who the actual owners of these properties are.

I can think of one 100-acre farm in particular that has been sold by someone who lived in the US. You know, the neighbours are talking about that now: "By golly, I wonder who does own that." You're going to have to go to the registry office to find out, Mr. Speaker. To me, it's going to be an almost impossible situation to try to enforce written permission every time someone goes off Crown property.

I'm sure there is much land that is neither Crown land nor private land. I think of areas where cottage lot subdivisions have been established. Land has been designated as a public roadway, and it's never been taken over by the township. They don't want it; it's not up to standard. If they take it over, they have to maintain it.

Mr. Breithaupt: And plough it.

Mr. Good: They couldn't get grants on it, because it's not brought up to standard. I inquired last year as to where the actual ownership of such property lies. The director of the subdivision section of the Ministry of Treasury, Economics and Intergovernmental Affairs said to me: "Well, actually, that's something we've been trying to decide for 15 or 20 years." He said: "It's really in limbo; nobody owns it." He said: "It was dedicated, the township won't accept the land, so we really don't know who does own it."

Where would one go to get written permission to use that land? There is the matter of written permission being deemed to be individual when one belongs to a club. I wonder if the minister would give consideration to the idea that if one person in a group has permission to cross certain lands, whether that would not cover all in that group.

You know, Mr. Speaker, people don't do all their snowmobiling in one specific area. People are often invited to someone else's area, and as such they would not be there as a member of that club. They would not know who the owners were to get individual written permission. I think, for instance, if I am invited up to the zoo and go out snowmobiling with the minister, if he is a member of a club I should be able to snowmobile as his guest.

Mr. Breithaupt: Be sure he goes first.

Mr. Good: Or if he isn't a member of the club but has permission for an area, I think everyone with that person should be deemed to have permission as well.

In the town of Wiarton they have groundhog day every spring: and they always have a big snowmobile safari. During the last outing I was on a few years ago about 150 vehicles went from Wiarton down to Sauble Beach, up across to Oliphant and around through the bush, some of it private property. We had dinner up in the Wildwood Lodge at Red Bay. Now, I'm sure a great many of those people were not local residents, did not belong to the local club. They were cottagers who had come up for that particular weekend. Surely in a thing like that, persons wouldn't have to have individual permission.

I can see a great many problems with enforcement in this written permission deal, the way it's set up in this particular section of the bill. That is one of my gravest concerns, because of the fact that it's almost impossible to find out who owns much of the land up in the area.

Take, for instance, some of the islands out in Georgian Bay. The owners are down in the United States; they're in the old country; they're all over the place. People snowmobile from Penetang out to the islands. In fact, I was told just the day before yesterday, by a group who snowmobile in the Penetang area all the time: "Well we've already talked to the provincial police, and regardless of what the bill says, we don't think they're going to be demanding written permission from us; and we'll go on the same trails. If the Minister of Transportation and Communications wants to stop us, he'll have to come up here with an army of 500 enforcement officers to stop us from going on our usual trails."

Mr. L. Maeck (Parry Sound): I don't think they're that irresponsible.

Hon. Mr. Handleman: They are good, law-abiding citizens.

Mr. Good: Maybe they're not that irresponsible; but they see the inherent dangers in the letter of this law. This is pretty rigid, and if the minister is going to enforce it without restraint, he is going to need an army of 500 enforcement officers. That is the problem I see in that written permission section of the bill.

Mr. R. F. Nixon (Leader of the Opposition): "Rhodes' irregulars."

Mr. Good: The other matter about which we had a pretty good discussion the other night in supplementary estimates is the amount of money being put by the province into the development of trails. According to the information I have from those members who were on the select committee, that was the single most common complaint.

When the registration fee was upped from $2 to $10, the coffers of the province were enriched by many millions of dollars. I have the figure here, which sounds reasonable to me. When we add up the registration fees for the vehicles, the sales tax derived by the province on the sale of the vehicle and the gasoline tax, we are talking about revenue of $13 million or $14 million a year from those who use snowmobiles.

I am not naive enough to suggest that the minister should plough all the money back for the snowmobilers' use. I think the province has to use it as a source of revenue to some extent because it is a recreational facility. But just don't try to make such things as snowmobiles into revenue producing sources, as in the sale of liquor. I think we have got to turn some of it back. Now $1 million is not much—that is what we are ploughing back in the first year—but when one considers the fact that nothing has been spent by the province on developing and grooming trails—

Mr. Stokes: It is not $1 million either; it is $150,000.

Mr. Good: No, $150,000 is going to the clubs and conservation authorities, the rest—$850,000 according to the estimates—is being spent by the ministry on Crown lands and work they will do through their regional offices. The whole estimate is for $1 million, as was explained to us the other night.

The Minister of Transportation and Communications can correct me if I am wrong, but that is what the Minister of Natural Resources told us the other night. When I asked him how many machines there were in the province, he didn't know; he asked the Provincial Secretary of Resources Development (Mr. Grossman), who said about 200,000. Well I think there are probably closer to 250,000 or 300,000, according to other information I have been able to get.

Those are a few of my comments. I agree with the principle of the bill to regulate the use of these machines, but I hope the minister has given due consideration to some of the problems that can result for the need of individual written permission.

Mr. Speaker: The member for Durham.

Mr. A. Carruthers (Durham): Mr. Speaker, I would like to make a few remarks with respect to this bill. I am sorry I was not here last Monday night, because of another commitment I was unable to be here and I understood the bill would not be debated on that occasion.

Mr. Breithaupt. The member is learning how we do things here.

Mr. Carruthers: At this time I would like to make a few remarks as chairman of the Ontario select committee on motorized snow vehicles, and I wish to congratulate the minister and the government in responding so effectively, may I say, and so promptly, to the report of the Ontario select committee on motorized snowmobiles and ATVs.

Mr. Stokes: It wasn't all that prompt. They had our interim report for a year and a half.

Mr. Carruthers: Well, I would say it was quite prompt when one realizes all the research that has to be done.

Mr. Good: That is prompt for this government.

Mr. Carruthers: Mr. Speaker, the committee confined its research and its investigation to a major degree to the Province of Ontario, and the legislation reflects the opinion of the general public, of the participants in this fine form of family recreation and of the snowmobile industry itself.

Last week I had the opportunity of discussing the bill and the report at some length with a representative of the International Snowmobile Association, later with a representative of the Snowmobile Distributors Association and with representatives of the snowmobile clubs throughout the province.

All those gentlemen, while expressing some concern with respect to the development and control of snowmobile trails, supported the legislation and particularly that section of the legislation which I understand is controversial. I refer particularly here to section 5 of the bill, which pertains to the phasing-out of the use of snowmobiles on the serviced or travelled portion of highways.

The committee recognized, Mr. Speaker, that snowmobiles are incompatible with motor vehicles. It was pointed out to the committee on numerous occasions that the low profile, the speed and the construction of these ma-

chines create a danger on congested highways. Accident statistics provide ample evidence to support the legislation which is now before the House. In the period from November, 1972, to February, 1973, it was revealed that 168 of 198 accidents which claimed six out of 10 lives occurred on municipal highways. The accidents indicated poor manoeuvrability, steering and braking, whether on ice, whether on hard snow or whether on pavement. These effects with poor visibility constitute a real hazard.

On many occasions, Mr. Speaker, it was brought to the attention of the committee that automobiles, highway traffic and snowmobiles just are not compatible. I strongly support the legislation as it presently stands. In my opinion, I think if the present legislation is upheld it will have a real impact on insurance rates. There is no question about it: insurance companies are very concerned about the startling fatality rate among the participants in this particular sport.

It was also brought to our attention on many occasions, Mr. Speaker, the difficulty in identifying the ownership of the machine. This is limited because of the difficulty in identifying the plate, particularly for law enforcement authorities, where it presented a real problem. Bill 161 will correct this to a major degree, and I'm sure it will be welcomed by law enforcement authorities.

I wish to emphasize here if there's one fatality—the first fatality that occurs this winter—if we don't stand by this legislation, the members of this committee are going to be under very severe criticism, the government is going to be under severe criticism and all the members of this Legislature are going to be under criticism, because it came through very strongly and very clearly to us that snowmobiles must be gotten off the travelled portions of the roads.

An hon. member: Highways!

Mr. Carruthers: As an example. I will quote to the members from the London Free Press an editorial of Nov. 5. It is as follows:

> A government bill would remedy some omissions. However, in the control and operation of snowmobiles, it's about time steps were taken to get snowmobiles off public roads, for each winter produces more deaths than injuries. The bill would bar snowmobiles from all serviced roads except those where municipal by-laws specifically permit their operation, a proper concession in northern communities where snowmobiles are a common form of winter travel.

This was brought home to us on a number of occasions by the member for Thunder Bay.

Some 84 municipalities, Mr. Speaker, out of 903, have approved by-laws governing snowmobiles. However, the reluctance of municipalities to enact bylaws has, in my opinion, encouraged the operation of snowmobiles on highways. The present legislation should do much to encourage municipalities to co-operate with snowmobile clubs and the operators of these vehicles to develop a programme whereby certain designated roads can be used by participants of the sport.

One of the most localized controversial problems arising from the use of snowmobiles is that of trespass. Time and again this has been brought home to us by property owners, both urban and rural. I had a call on at least three different occasions from a farmer just north of Toronto who has some 400 acres of land and was perfectly willing to allow the use of the property for snowmobilers. But he said the only place they wanted to go was tearing up and down his rows of corn, tearing it to pieces, and the police that they called in just couldn't identify them and never could catch them.

While a majority of snowmobile operators are recognized as responsible sportsmen—and this is particularly true of those members of snowmobile clubs—there are, however, as in all sports, those who abuse those rights and privileges and thus create a spirit of ill will, not only to themselves but to all operators of snowmobiles and to the detriment of the industry.

The industry was particularly concerned about this one feature. They said, "Get them off the roads because it gives us a bad name." Every time there is a fatality—and we found this out in our research work—whenever a newspaper item appeared about a fatality, we had many people say they wanted to ban them entirely, not just off the roads, but ban them entirely.

There have certainly been many incidents where the no-trespassing sign has been torn down, fences have been continually cut, winter wheat, clover crops have been damaged, corn crops have been damaged, livestock has been harassed, even individuals have been harassed, and littering has become a common problem in many areas.

The Petty Trespass Act is a principal form of legislation at the present time designed to protect property owners, and under this Act the onus is, of course, on the landowner or the occupier to prove that he has taken all precautions through oral warnings

or visible signs. As I said before, very often these are torn down. Those signs must be visible from every point of access and must advise that there be no trespassing. The Act is full of loopholes, Mr. Speaker, and very easily circumvented.

This legislation is applicable to the snowmobile operator and leaves no doubt as to the responsibility, and—in the view of the committee members, I'm sure—the requirement of written permission will not only protect the property owner but will encourage farmers and property owners to allow their land to be used for trail and snowmobiling purposes. The committee was of the opinion that the present method of accident reporting was not satisfactory, it was sporadic and doubtful in accuracy, and I notice that under the present legislation there is no requirement for reporting an accident for personal injury or property damage to the person or the property owner where only the driver is involved and where the damage does not exceed $200. Bill 161 will do much to correct that situation.

While it will require time to prepare regulations and forms I would hope that certain features—and particularly the property rights section—of the bill be proclaimed as soon as possible. I may have other remarks during the debate in committee of the whole House, Mr. Speaker, but may I emphasize again that this committee was a dedicated group and I was very pleased to work with such a fine group of men. I think it was brought home to all of us the real problems facing not only the sport itself but the industry as well. Thank you.

Mr. Speaker: The member for Essex-Kent.

Mr. J. P. Spence (Kent): Mr. Speaker.

Mr. Speaker: I'm sorry, the member for Kent.

Mr. Spence: Yes, it's all right, Mr. Speaker, I just want to say a few words.

I do wish to congratulate the minister in bringing in a bill to bring some order to the snowmobile operators in this province. I know that practically every member in this House has been called about 1 o'clock or 2 o'clock in the morning by citizens who have been wakened by snowmobile operators, and, of course, after they are wakened they say they can't go back to sleep; which is a great nuisance. I'm glad to see the minister bringing in a bill to bring order to this snowmobile industry in the province.

I'm quite concerned, Mr. Minister, about licensing a landowner who owns and operates a large tract of land, in that he has to purchase a permit and a licence and insurance in order to operate his snowmobile on his own property.

Mr. Stokes: We've got an amendment that takes care of that.

Mr. Spence: Right. I'm glad to hear that, of course, because an officer of the law can enter his private land and fine him or bring him to court, which I would say is a step too far in this bill. I have heard from other members of the Legislature that there are some amendments and I hope that the bill will be amended so that if the property owner doesn't take his snowmobile off his own property he won't have to pay for a licence to operate it on his own property.

Mr. Speaker: The hon. member for Huron.

Mr. J. Riddell (Huron): Thank you, Mr. Speaker. I'm not going to take much time in debating this. I must admit that I haven't been in the House too often when it has been debated, and I'm not sure what amendments have been put forth—

Mr. Stokes: There are none yet. That is what we are trying to do—to get to clause-by-clause.

Mr. Riddell: —but I understand there are some forthcoming. One thing concerns me a little. I can recall a terrible snowstorm in our area two years ago and many school children were locked in the schools for a period of two, three or four days. If it hadn't been for the operation of snowmobiles, some of these children wouldn't have been taken out of the schools and back home again.

In this bill, snowmobiles are being banned from travelling on serviced roads; and I take it that travelling on the serviced portion of a road means on the road proper or the ploughed shoulders of the road. But what concessions will be made under circumstances such as snowstorms where people rely on the operation of a snowmobile in order to get other people to safety? I'm wondering whether this is covered in legislation or if there will be an amendment stating that it has to be a ploughed road in order to prevent snowmobiles from being allowed to travel on it, or if the road is not ploughed then the snowmobiles can travel on it.

Mr. Speaker: Does any other hon. member wish to speak to this bill?

The hon. member for Beaches-Woodbine.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, I too wish to congratulate the minister for bringing this bill forward. As a member of that special committee, Mr. Speaker, I am particularly pleased with several items in this bill.

While, of course, in my particular riding there is no snowmobiling allowed—in fact, snowmobiling is banned in the Metropolitan Toronto area — what happens here is of course of particular interest to the people living in my riding who have snowmobiles and who transport them to other sections of this province.

I am particularly pleased with the fact that everyone in charge of a snowmobile now must be licensed. At least we know now that there is a standard. In the past, it seems that anyone could just jump on to a snowmobile and have charge of this very powerful machine, but there was no standard of licensing. People who were not capable of handling this machine were able to drive it on the roads of this province.

I'm also particularly pleased with the fact snowmobiles now must have a muffler. In our discussions, the matter of noise was a particular concern to many people, particularly in the smaller towns. Now, under this legislation, this will be abated.

The matter of helmets was one that gave me particular concern. I know most snowmobilers do wear helmets at the present time, but the fact that they now are required to wear helmets is of particular interest to me. I know that a number of deaths have occurred because a person was not wearing a helmet when in charge of a snowmobile.

Another matter that the minister has in hand, as well as the Ministry of Natural Resources, is the provision of trails. Some trails are being used in Ontario, and others could be used. There are a number of abandoned railway lines here in Ontario and a number of mine roads that could be used. I think the co-operation of the people who own private property and the government, in the use of Crown lands and the use of private trails, such as abandoned railway lines, etc., could be used to provide a very fine type of trail here in the Province of Ontario.

Mr. Speaker, the snowmobiling industry, of course, came forward dramatically. The use of the snowmobile was far ahead of the legislation we had in this province, but now I think we have, in this bill, the regulations and the requirements that will put the snowmobiling industry on a sound basis and be a protection for those who use snowmobiles. I congratulate the minister for bringing this forward at this time.

Mr. Speaker: The member for Victoria-Haliburton.

Mr. Stokes: What's this, a filibuster?

Mr. Wardle: No.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, there are one or two things I want to mention in regard to this bill.

Mr. R. F. Nixon: He's going to congratulate them first.

Mr. R. G. Hodgson: First of all, I consider the government and the people of Ontario are trying to use a hammer to kill a fly. I think there are more people killed in boating accidents and there hasn't been any concern expressed about that.

Mr. Stokes: That's federal.

Mr. R. G. Hodgson: Yes, certainly it is; but they are provincial deaths, aren't they?

Hon. A. Grossman (Provincial Secretary for Resources Development): Make them wear helmets.

Mr. R. G. Hodgson: I am concerned about the idea that a police officer can arrest somebody on someone else's land without a complaint laid by that landowner. I think it's pretty vital to have the complaint laid and signed by the landlord.

The other thing that has been thrown into this has been the liability problem of the decision in regard to a court case, and also the trespass law thrown into this situation. But what about the other uses of land in Ontario? I hope the government is going to go the other step and do something on the Trespass Act, and something in regard to liability for use of these trails for other than snowmobiles, because many of these trails are multiple-use trails, even though snowmobiles use them.

The other thing that I think is very important to have something done about it is the fact that today we have drivers' licences and vehicle licences that are not required on your own land. Here we are, in a law like this, saying they must be licensed, they must be insured, and so on, all these things that are restrictive. So I just feel that someplace along the line we are using a hammer to kill a fly.

Mr. Speaker: Does any other hon. member wish to speak? If not, the hon. minister.

Hon. Mr. Rhodes: Mr. Speaker, first of all, I think the bill itself will make the regulation of snowmobiling in the Province of Ontario a little easier for all of the various jurisdictions, provincial and municipal. I just want to touch on a couple of the points that have been raised. I don't want to prolong this, so we can get into committee and get on with it.

One of the points was, the member for Thunder Bay expressed some concerns about how the legislation would apply to the native population. I think, as I pointed out to him several days ago, and I repeat briefly, this particular legislation will not apply to the reservations themselves, and in the areas that the member was concerned with, that is, the farther northern areas, it is our intention to develop the regulations to go with this particular piece of legislation, that will exempt large areas of the northern part of the province, particularly those areas where there are no highways serving the area.

As the member well knows, there are large areas in his particular riding and in adjacent ridings where it would really be of no value to have this legislation apply. In fact, it would be a detriment to the people who were working and living in that area. So that is intended to be taken care of, and I think that problem is recognized.

Mr. Stokes: They could never police it in any event.

Hon. Mr. Rhodes: No, you'd go out of your mind trying to police it, right.

The member for Simcoe East (Mr. G. E. Smith) commented several days ago on the control on lakes, and I can only say to him that if it's navigable water, of course, it is something over which we, as a provincial government, have no control, but if it is within a municipality, then the municipality itself would be able legislate control of the snowmobiles on the lake areas, the frozen-over areas, in its own bylaws.

The member for Waterloo North is concerned about the clubs and the written permission. Later on I think we will get into that when we look at some amendments which I propose to introduce during committee, one of which I think will take care of the concerns on the written permission.

I agree with the hon. member. If there is a complaint from the property owner or the occupier of that property, then the police would take action, but simply to be going on to someone's property, or, as the member suggested, standing at the edge of a field waiting for them to come off to check—I don't believe that's the way we want to enforce this. It will be as a result of complaints, and we will get to that later on.

I can't comment on the trails. That programme is being developed by the Ministry of Natural Resources. Comment was made on the amounts of money that go into the fees. That money, of course, doesn't come into my ministry; it goes into the consolidated revenue fund. Some of it will be going back into trails and hopefully there will be even more into trails. The development of the trails programme, again, will come under his particular area.

The member for Kent commented on the noise problem. I think all of us who live in an area where snowmobiling is popular have experienced complaints, as he has suggested. There really is nothing in this particular Act that is going to control the noise, but municipalities can pass bylaws to prohibit vehicles running at certain hours at night and, of course, the Minister of the Environment (Mr. W. Newman) can pass legislation that will control the decibels.

Mr. Good. Yes, but he won't. We have been asking him for four years and he won't touch the noise problem.

Hon. Mr. Rhodes: It is very difficult to enforce noise levels. It is not the easiest thing in the world to handle.

The registration of the vehicles—the changes there I think will be of value. This was commented on by the member for Essex-Kent during his remarks earlier. The new markings that are proposed will ensure easier identification of those vehicles that are being operated improperly. I want to join with others who have said that most of the operators of snowmobiles are reasonable, responsible people. Those who belong to the organized clubs have developed excellent programmes and have done an awful lot to enhance the snowmobile sport in this province, but we do have the irresponsible people whom we are going to have to deal with. These large registration numbers, easily visible, will make it much easier for people to be able to apprehend those who are operating in an irresponsible way.

I think with those few remarks we will perhaps move on into committee of the whole.

Mr. Speaker: The motion is for second reading of Bill 161.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this will go to committee of the whole House.

Agreed.

Clerk of the House: The fifth order, House in committee of the whole.

MOTORIZED SNOW VEHICLES ACT

House in committee on Bill 161, the Motorized Snow Vehicles Act, 1974.

Mr. R. F. Ruston (Essex-Kent): Mr. Chairman, I have an amendment on section 1(k). I don't have anything before that.

Mr. Chairman: The hon. member for Essex-Kent.

On section 1:

Mr. Ruston: Mr. Chairman, the member for Huron (Mr. Riddell) mentioned and I mentioned also that when we have a severe snowstorm snowmobilers are asked through their good graces to come out and help. We maybe should add on to section 1(k) in line 2 after the word "used" the words "or open" for vehicular traffic. Now, I am not sure if "serviced roadway" might cover it. In other words, if a road is not serviced, I suppose it is not open for vehicular traffic. Maybe the minister or some of his officials could advise me whether it is necessary to put this in. That would be the main reason I would be wanting it in.

Mr. Ruston moves that section 1(k) be amended by inserting in line 2 after the word "used" the words, "or open for vehicular traffic.

Mr. E. R. Good (Waterloo North): Highway 401.

Mr. Ruston: Yes, where it was on 401, which we know is prohibited for use. I realize that if the police call snowmobilers to help they are not going to arrest them, but on the other hand it's rather a difficult situation to put them in. If the law contained that provision, I think it would be better.

Mr. Chairman: Does any other hon. member wish to comment on section 1?

Mr. Good: Maybe the minister has another way of making it legal for the police, in an emergency, to call snow vehicles on to Highway 401 to take people out of cars, as happened the other week.

Hon. J. R. Rhodes (Minister of Transportation and Communications): I think it would hardly be necessary to put that into legislation, Mr. Chairman. Surely good, ordinary common sense is going to prevail in the case of emergency. There are so many instances of legislation being there, but in the cases of emergency and where people need assistance the legislation is never enforced and the police and all enforcement agencies co-operate.

Hon. A. Grossman (Provincial Secretary for Resources Development): The police have the right to do it.

Hon. Mr. Rhodes: I would be very surprised if we had to require that in legislation. The police themselves, as was suggested by the Provincial Secretary for Resources Development, have the right to act on their own in the case of emergencies. As in the emergency referred to earlier by the hon. member for Huron, there's no one who is not going to co-operate with the need to assist people who are stranded and find that they have to make their way, for emergency purposes, along what otherwise would be banned areas.

Mr. J. E. Stokes (Thunder Bay): No, but there are a good many roads in the province, where there is little or no snow, that are maintained the year around. But there are a good many areas of the province where a road isn't open the year around. It's not only the case of an emergency on Highway 401; all this does is tidy it up. There are many areas in the province where I'm sure there is a road structure but it's not maintained and open to vehicular traffic the year around.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I think it would be worthwhile to consider this amendment; it would seem to regularize the matter. While the question of legal liability might be more fittingly involved in a good Samaritan type of act, examples of which we have seen in the Legislature over the last several years, at least this might go along to try to regularize any activities and to avoid any confusion in the minds of those who might be called upon to be of assistance to the authorities.

Mr. Chairman: Are there any other comments before I put the amendment?

Mr. R. F. Nixon (Leader of the Opposition): I'd just like to suggest, Mr. Chairman, that perhaps the minister would give it further consideration because there's no prob-

lem involved in including this amendment. I think it meets the case specifically. I see him glancing at his experts and they're looking at each other. Now, why don't we just do it?

Mr. Good: Go over and have a talk with them.

Mr. Breithaupt: We'll take the opinions of three out of five.

Mr. J. Riddell (Huron): Mr. Chairman, I'd just like to add that it's all right to say that common sense would prevail, but in the areas in the snowbelt take the case where there is a sudden storm and a father may go out with a snowmobile to pick up his children at school to bring them home, knowing full well that if he doesn't get them their chances of getting home may be quite remote. I think there should be a section in here to protect that chap if he does go and get his children out of school to bring them home so that he can't be charged for travelling on the road.

Hon. Mr. Rhodes: Mr. Chairman, I don't think I could go along with that sort of an amendment. Who's going to determine when it's too snowy for the youngsters to walk home? What is a snowstorm in the Thunder Bay area would be a complete and total blizzard in your area. And what you call a snowstorm he calls a gentle fall of light fluff.

Mr. Stokes: Light precipitation.

Mr. R. F. Nixon: This amendment says, "if it is closed."

Hon. Mr. Rhodes: Somebody has to consider when it is a storm and when it isn't. I really feel that in the case of an emergency, where youngsters have to be transported from their school to their homes or vice versa, there is no one who is going to take any exception to people running on an unploughed or open roadway.

Mr. Breithaupt: That is not what the law says.

Hon. Mr. Rhodes: Mr. Chairman, on the other point, as far as the rights of way that are unploughed in the winter time, we can deal with those quite easily through regulations. Municipalities can permit the snow vehicles, by bylaw, to go anywhere as far as their unopened municipal roadways are concerned; and unopened road allowances probably aren't classed as highways anyway within the meaning of the Act, so they'll be okay.

Mr. R. F. Nixon: What about the Highway 401 instance?

Hon. Mr. Rhodes: The Highway 401 instance? Well, as I say, if it is an emergency then no one is going to complain about them being used.

Mr. R. F. Nixon: Why don't you say then if the road is closed let them go?

Mr. Chairman: Mr. Ruston moves an amendment to section 1(k), in line 2, after the word "used" insert "or open for vehicular traffic."

All those in favour of the amendment please say "aye".

All those opposed please say "nay."

In my opinion the "nays" have it.

I declare the amendment lost and section 1(k) stands as part of the bill.

Section 1 agreed to.

On section 2:

Mr. Chairman: On section 2, does any member wish to speak on section 2?

Mr. L. C. Henderson (Lambton): Mr. Chairman, I haven't an amendment but I have a question, and it refers to all sections. I would like to inquire of the minister his interpretation of this section.

As I take it, to be driven any place these snowmobiles have to pay a registration fee each year. Now the question of the minister is if it is property owned by the operator, who is resident on the property, do they have to pay this registration fee each year while on their own property?

Hon. Mr. Rhodes: No, Mr. Chairman, I don't want to mislead anyone on that. As far as the registration is concerned, it is a registration fee that applies to all snow machines within the province, all of them.

Mr. Henderson: Annually?

Hon. Mr. Rhodes: Annually.

Mr. R. F. Nixon: Even on your own property?

Mr. Henderson: Yes, that is the question.

Hon. Mr. Rhodes: Yes, I say all snowmobiles in the province are subject to the registration fee, to be paid annually.

Mr. R. F. Nixon: It may take a change in government to reverse that.

Mr. Chairman: Before we move on, to make it clear: Instead of a licence, you are talking about a registration fee in lieu of a licence?

Hon. Mr. Rhodes: Mr. Chairman, I think it is common knowledge that there is no licence for snow machines in the Province of Ontario. There is a registration plate, and it is a registration fee that you pay annually. The licence referred to here is what we were talking about as an operator's licence.

Mr. Good: Well on this same point—

Mr. Chairman: Just a minute, we are getting out of order a bit, it was a question of clarification from the member for Lambton, Could the minister tell me in what section of the bill that is dealt with?

Hon. Mr. Rhodes: I don't think it was a section he was dealing with, it was just a general question as it pertains to the whole bill, as to the fees to be paid; which fees, of course, are in the regulations.

Mr. Good: Where is that in the bill?

Hon. Mr. Rhodes: It is not in the bill.

Mr. Henderson: Mr. Chairman, it is in section 2 that any amendment would be appropriate, and I was waiting for the hon. member for Essex-Kent—

Mr. Ruston: I have one.

Mr. Chairman: Let's come to order for a minute. Let's come to order and get back on the track again. Section 1 has been carried. Agreed.

On section 2, the member for Essex-Kent has the floor.

Mr. Ruston: Mr. Chairman, I have an amendment to section 2, subsection (4).

Mr. Ruston moves that section 2(4) shall not apply to motorized snow vehicles driven on the property of the owner or occupier of the motorized snow vehicle.

Mr. Ruston: The reason for this, Mr. Chairman, is I feel this doesn't stop the dealer, when he sells a machine, from issuing a permit, which he is obligated to do within six days. What I am saying is that after you have the snowmobile, and if you never take it off your property, it is the same thing as your car or truck, you do not have to renew it after that time. If you sell the machine you are still obligated to register it and have it transferred, but what I am suggesting here is that if a farmer who has a 200-acre farm never wants to go off that land, the initial registration doesn't have to be renewed yearly.

Mr. Good: On this point, Mr. Chairman, I would like to say this, last winter I was called by a constituent who had received a fine of $23. He had 250 acres of land north of Waterloo and was fined for operating a machine without a licence on his own property.

I must confess that I was ignorant of the law because, under the Highway Traffic Act, of course, you can operate an all-terrain vehicle, a dump truck, a car, a trailer or anything you want on your own property as long as you don't use it on the highway. You're not subject to a licence under the Highway Traffic Act. This $10 fee applying to people who operate their vehicles solely on their own property is a real source of annoyance to a lot of people who have their own snowmobile farms and never set tracks off their own property.

I think the minister should give consideration to a permanent registration of the vehicle. Everybody agrees with this. You have to have a one-time permanent registration of the vehicle. But to nick those people for $10 every year when they're operating on their own property seems to contravene any type of regulatory control that you might wish to get. It's just a matter of getting money from these people unnecessarily. If the government is going to do it for that then, in fairness, it had better start to licence every farm truck that is used on personal property and see how far it gets with that.

Mr. G. Nixon (Dovercourt): That's not for pleasure, though.

Mr. Chairman: The hon. member for Lambton.

Mr. Henderson: Mr. Chairman, I am in agreement with the amendment. I would like to add my remarks, Mr. Chairman, but I'm not sure this shouldn't be in a later subsection. I was looking more to an exclusion under subsection 8 and I was going to suggest a subsection iii under 9(a).

As I say, I agree with the principle, but unless the minister can come up with an amendment that would be more fitting within the section I shall be forced to support this amendment. I feel much the same as the opposition on this. I feel that if we permit this to start at this stage, the next thing the

farmer will have to have a registration to take his tractor or his combine over a field.

Mr. Good: Right.

Mr. Henderson: I'm not only speaking as a farmer now, I'm speaking as a man in the city who has 100 acres of land and who wants to go out to relax on the week-ends where he can have recreation.

Mr. Breithaupt: Who needs a combine?

Mr. Henderson: I'm in support of the amendment, unless the minister has a better place ot put this exclusion in the Act.

Hon. Mr. Rhodes: Mr. Chairman, section 24(h) does give the opportunity for the exemption of vehicles from the requirements of section 2 and 8 of the Act.

Mr. Good: What about those on an Indian reserve?

Hon. Mr. Rhodes: We designate the classes as far as section 2 and 8 are concerned. We can determine whether they have to meet the requirements of those sections. I must confess that that amendment has got some merit, to my way of thinking.

Mr. Stokes: Mr. Minister, you can operate your own car, your own automobile, from now until kingdom come on your own property—

Hon. Mr. Rhodes: Oh, I know.

Mr. Stokes: —and your ministry has never been one bit concerned. There is no difference whatsoever in a motorized snow vehicle or any other kind of vehicle used exclusively on your own lands.

Hon. Mr. Rhodes: Some of my caucus members have spoken to me about this particular section. I think it's correct. If you're driving your vehicle, an automobile or truck or tractor, on your own property you're not required to register it; you're not even required to have a licence to operate it. I think the amendment may have some merit.

Mr. R. F. Nixon: That's right.

Hon. Mr. Rhodes: I'd like to think about it for a moment. Perhaps there are some other members who wish to speak to it.

Mr. R. G. Eaton (Middlesex South): Well, I would.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Chairman, I would like to support this amendment, because, first of all, you don't even have to pay gasoline tax when you don't have those plates on. I think maybe this is what the minister is trying to get at here.

Mr. Stokes: No, no.

Mr. R. G. Hodgson: Let the snowmobile committee tell us the reason why then. However, I'm going to support the amendment.

Mr. A. Carruthers (Durham): Mr. Chairman, I would support the amendment too. I took it for granted that this would be the case; you paid the first-time registration and after that if you used it only on your own property you were free, the same as were with a truck or a tractor.

Mr. R. F. Nixon: Does the member mean that he hasn't been registering his?

Mr. F. Drea (Scarborough Centre): I want to speak on this.

Mr. R. F. Nixon: Here is the great travel authority.

Mr. Drea: Have you got a wisecrack to make? Is there something the matter with you? Go ahead, make it.

Mr. Breithaupt: We just made it. That was all that was needed.

Mr. Chairman: Order, order.

Mr. R. F. Nixon: After getting the government into trouble last week, we will see what you can do this week.

Mr. Drea: I never get this government into trouble and I don't take wisecracks from clowns. Now go ahead.

An hon. member: Why don't we settle it outside?

Mr. Drea: It would be very unfair. You really wouldn't want that.

Mr. Chairman, I would like to point out a couple of things in connection with the registration of snowmobiles on private property. First of all, there is a fundamental difference between the registration or the licensing of a car, because that licensing is to take effect because the car is only to be used on the highway. There is nobody buying a car, for practical purposes, that is not going to be used on the roadway.

Some hon. members: That's wrong.

Mr. R. F. Nixon: Ask your colleagues.

Mr. Good: All kinds of jeeps are used on private property.

Mr. Drea: How many?

Mr. Ruston: Trucks.

Mr. Drea: Yes, all right.

Mr. Breithaupt: Back to Action Line with him.

Mr. Drea: Now, on the question of the snowmobile or the motorized snow vehicle, Mr. Chairman, the difference is—and this is implicit in the original Motorized Snow Vehicles Act—the reason that that machine was licensed even though it was going to be used on private property and even though the owner could say in good faith that he intended to use it only on private property, sooner or later it had to cross a road. I suggest to you that if you exempt the machines that are only used on private property, what happens when they want to go across a roadway, because sooner or later they will?

Mr. Stokes: They can't do it.

Mr. R. F. Nixon: They can't go across the road.

Mr. Drea: That's right; all right, okay. If you are prepared, just so there is no misunderstanding, and you don't come back at this government.

Mr. Breithaupt: Or your colleagues.

Mr. Drea: Oh no, my colleagues aren't.

Mr. R. F. Nixon: You are the only one who doesn't understand it.

Mr. Drea: Just so it is very clearly understood that if you are going to take this amendment it means—

Mr. R. F. Nixon: You are the only one who doesn't understand it.

Mr. Drea: I undertand it all too well and I'm just not going to have people say three or four months from now that they didn't know that it means they could never go across a road.

Mr. Stokes: They know now.

Mr. R. F. Nixon: That is what the bill says.

Mr. Drea: Okay, if you want that; if that's what people want, okay, but that's what you are going to get.

Mr. Stokes: Ignorance of the law is no excuse.

Mr. D. A. Evans (Simcoe Centre): Mr. Chairman, I'm going to support the amendment because I think it's right.

Mr. Chairman: One more member would like to speak.

Mr. Eaton: I would also like to support the amendment, I think it should apply. I can liken it to what we brought up with the minister on the use of snowmobiles on Indian reserves. They are to be exempted on there. The moment they come off they have to have a licence. I think it should apply exactly the same way on the property that is privately owned. If they are going on to a neighbour's property they'll have to be licensed. It is exclusively for their own property.

Mr. Chairman: Mr. Minister, have you anything more to say before I put the amendment?

Hon. Mr. Rhodes: Yes indeed. I certainly want to discuss this further. I accept the amendment but I want to change the wording on it.

Mr. Breithaupt: Mr. Chairman, perhaps we could stand this section down and proceed, to give a chance to have the wording done so that in fact it accomplishes what the mind of the House seems to want.

Mr. Chairman: Will Section 2 carry, then?

Mr. Stokes: No.

Mr. Chairman: Except for the amendment there are no other subsections to be discussed.

Hon. Mr. Rhodes: I want to reword the amendment.

Mr. Chairman: We will come back to the amendment later on.

Sections 3 to 5, inclusive, agreed to.

On section 6:

Mr. Chairman: Section 6, the member for Middlesex South.

Mr. Eaton moves that subsections (5) and (6) of Section 6 be replaced by:

(5) Where the operation of a motorized snow vehicle is not prohibited on a highway under the jurisdiction of a county, district, metropolitan or regional municipality by a bylaw passed under subsection 2, the council of such a municipality may pass bylaws prohibiting the operation of motorized snow vehicles along or across such highway or part thereof.

(6) The Lieutenant Governor in Council may make regulations regulating, governing or prohibiting the operating of motorized snow vehicles upon serviced roadways in territories without municipal organizations.

Interjections by hon. members.

Mr. Henderson: Mr. Chairman, I would like to report to the House that the New Democrats are not here to participate in this very important bill. It should be shown in the record.

Mr. R. F. Nixon: You mean there is not a single NDP member present?

Mr. Breithaupt: That is an unfair comment, Mr. Chairman.

Mr. Henderson: It shows who is interested in the people of the province.

Mr. Breithaupt: That is an unfair comment, Mr. Chairman. I believe they are all paired as a result of their voting practices last night.

Hon. Mr. Grossman: That is all right. The member for High Park (Mr. Shulman) will come in and call a quorum.

Mr. Chairman: Would the member for Lambton like to speak to the amendment?

Mr. Henderson: Yes.

Mr. Chairman: Okay, let's proceed.

Mr. Henderson: I support the amendment.

Mr. Good: Perhaps the member for Middlesex South would like to speak on it, Mr. Chairman.

Mr. Eaton: Yes, Mr. Chairman, in bringing about this amendment I feel that we want to keep the option of what roads are used in the hands of the local municipality. In many cases, if we ban them right across the complete province, the councils may let the banning of the use of these roads stand without too much consultation. They've had an opportunity to ban the use of these roads and they are closed to the local people. They know what roads are busy in their local municipalities, and therefore they can ban the use those particular roads rather than having them all banned.

In many of the small villages in my own municipality—and there are five snowmobile clubs in there—the only way that they can get out to the trails is to use some of the streets on the edge of the villages to get out there. If the council is going to have to pass a bylaw designating this one or that one or the other, they are going to come back and find that maybe they have missed one or two streets. This way they will be able to use the streets, but if the local municipality, under the pressure of the people there, wish to ban the use of snowmobiles on the busier streets or on some specific streets, they can do so.

Mr. Good: Mr. Chairman, we would support this amendment. This then does the opposite of what the bill said. In other words, it makes the municipalities opt to restrict use rather to have the province say use may not be made and the municipalities have to opt to allow it. I think this is a much better procedure, in that municipalities will now be forced to act on public complaints after their own discussion. The way the bill is now worded, the impression could easily be given that the province has banned them and if the province is going to ban them in all areas, why should we open them? I think this makes much more sense, and we collectively will support this amendment.

Mr. Chairman: The hon. member from Simcoe East.

Mr. G. E. Smith (Simcoe East): I notice the minister, in responding to second reading, had indicated, as a result of my raising the point during debate, that the municipalities could control the usage of lakes—frozen lakes, of course, and the inland lakes—and also I believe the navigable waters. I think, as I said at the time of second reading, that the navigable waters certainly is a grey area—I suppose in the winter it's a white area—but I do feel that—

Mr. R. F. Nixon: Here comes one now.

Hon. Mr. Grossman: Finally, a representative from the NDP. He knows all about farms.

Mr. R. F. Nixon: Things were going so well.

Mr. G. E. Smith: I do feel that when this bill is passed there should be some input from our ministry here to the federal ministry, to try to sort out the actual jurisdiction of the navigable waters.

Mr. Chairman: Mr. Minister, do you want to reply before we move on?

Hon. Mr. Rhodes: Yes, Mr. Chairman, I have had a number of members of this Legislature, from both sides, approach me and discuss basically what has been proposed in this amendment to section 6. I've read the amendment and I would be happy to accept

the amendments as proposed for both section 6(5) and 6(6).

Mr. Chairman: Mr. Eaton moves section 6, subsection 5: "The operation of a motorized snow vehicle is not prohibited on a highway under the jurisdiction of a county, district, metropolitan or a regional municipality—"

Mr. R. F. Nixon: Go ahead, Bill—Mr. Chairman.

Mr. Chairman: I wish you wouldn't interrupt me.

Mr. R. F. Nixon: Sorry. You could always report to the Speaker.

Mr. Chairman: Don't be too sure that won't happen.

Mr. R. F. Nixon: I won't.

Hon. Mr. Grossman: Unanimous.

Mr. Chairman: "—may pass bylaws prohibiting the operation of motorized snowmobiles along or across such highways or part thereof."

Subsection 6: "The Lieutenant Governor in Council may make regulations regulating, governing or prohibiting the operation of motorized snow vehicles upon serviced roads in territories without municipal organizations."

All in favour of the amendment please say "aye."

All those opposed please say "nay."

Hon. Mr. Grossman. Unanimous.

Mr. Chairman: I declare the amendment carried.

Motion agreed to.

Section 6, as amended, and section 7 agreed to.

Mr. Good: We should have last days more often.

Mr. Chairman: Does any other member have any section he wishes to discuss?

The hon. minister.

On section 8:

Hon. Mr. Rhodes moves that section 8(1)(b) of the bill be struck out and the following substituted therefor:

(b) He holds a driver's licence, or

(c) He holds a motorized snow vehicle operator's licence, or

(d) He is a resident of any other province, country or state and holds a licence issued by such province, country or state which authorizes him to drive a motorized snow vehicle.

Hon. Mr. Rhodes: Really all this does is to classify them a little more clearly in the wording.

Hon. Mr. Grossman: Wait until you see the kind they have in Kwangtung in China.

Mr. Chairman: All those in favour of the minister's amendment, please say "aye." All those opposed please say "nay."

Hon. Mr. Grossman: Unanimous.

Mr. Chairman: I declare the amendment carried.

Section 8, as amended, agreed to.

Mr. Good: Mr. Chairman, I presume there is no problem by referring only to "he," that it would also apply to the feminine sex.

Hon. Mr. Rhodes: Heavens, no. I would be happy to put in the word if necessary.

Mr. Chairman: Any other section of the bill?

Mr. Ruston: Section 14.

Mr. Chairman: Anything before section 14?

Sections 9 to 13, inclusive, agreed to.

Hon. Mr. Rhodes: Mr. Speaker, I would like to propose an amendment.

On section 14:

Hon. Mr. Rhodes moves that section 14(1) of the bill be amended by inserting at the commencement thereof: "subject to subsection 2(a)," and further that section 14 of the bill be amended by adding the following subsection thereto:

(2a) A person shall not be required to carry his driver's licence or motorized snow vehicle operator's licence with him while operating a motorized snow vehicle on land owned or occupied by him.

Mr. Ruston: You stole my amendment.

Hon. Mr. Rhodes: We talked about it, you know.

Mr. Henderson: Mr. Chairman, the amendment says he doesn't have to carry it. But does it stop there? Does he have to produce one later?

Mr. Good: Yes, but that—

Mr. Henderson: I think it should be clear—

Mr. Good: That's not accepting that other principle.

Mr. Chairman: This is what the amendment says: "A person shall not be required to carry his driver's licence or motorized snow vehicle operator's licence . . ."

Mr. R. F. Nixon: No, that is different; the other is registration.

Mr. Henderson: No, this is the licence on your own property, is it not, Mr. Minister?

Hon. Mr. Rhodes: It is the operator's permit. What we are saying in the amendment is that he is not required to have on his person the driver's licence or a motorized snow vehicle operator's licence when he is running the vehicle on his own property.

Mr. Good: Does the Act still say he has to have one?

Mr. Breithaupt: Mr. Chairman, does that not mean that the person still is required to have that qualification? In other words, a person must have a licence even though he may not require it with him. Am I incorrect on this?

Hon. Mr. Rhodes: It is not the intent that he should be required to have that. If he is running the vehicle on his own property, he is not required to carry any type of licence with him, nor would he be required anywhere in the Act to produce it at a later time. He doesn't have to have one.

Mr. Henderson: Agreed.

Mr. H. Worton (Wellington South): Mr. Chairman, I'd like this clarified further. Last winter I had the case of a chap who was charged with being impaired while driving an automobile. He was later picked up for driving a snowmobile while he was impaired. He lost his licence for a period of time. But, according to the people in your department, the courts had no right to take it for the operation of a snowmobile. Would you be able to clarify that as to whether this is a fact or not? In other words, if he has not got a licence he can't be charged with impaired driving of a snowmobile, can he?

Hon. Mr. Rhodes: I am not a lawyer, but it seems to me that if the Criminal Code refers to the operation of a motor vehicle, and if the code defines a snowmobile as a motor vehicle, I guess he is subject to the conditions of the Criminal Code. But it is not considered a motor vehicle in the Highway Traffic Act.

Mr. Worton: Are you doing that now?

Hon. Mr. Rhodes: At the present time snow machines are not considered motor vehicles within the definition of the Highway Traffic Act.

Mr. Ruston: They are in the Criminal Code.

Hon. Mr. Rhodes: In the Criminal Code they may be, I don't know. If they are, then you can get picked up for drunk driving.

Mr. Ruston: Mr. Chairman, I want to enlarge on this, and I have an amendment in the same place, but I realize now I didn't get what I wanted in that. I think that should have been in section 8 if the minister is saying what he is saying. You see what we are saying here is "he shall carry his driver's licence unless he is on his own land." My intention would be that it is not necessary for him to have a driver's licence, so we should have had, probably in section 8, an added subsection 4 to say: "This section shall not apply when a person is operating their snow vehicle on land owned and occupied by themselves."

An hon. member: By the operator.

Mr. Ruston: By the operator.

Mr. Chairman: That section has been carried.

Mr. Ruston: I think there was some confusion here as to the interpretation of what the minister is saying. In his amendment it says one does not have to carry his licence with him if he is on his own land; but that doesn't say that he doesn't have to have a licence. So the police could come in and ask him for a licence. If he doesn't have it, I suppose they could say he must show it within 24 hours.

The Provincial Secretary for Resources Development kind of scowls, but that certainly is not the way I read it. I am not a lawyer but I—

Hon. Mr. Grossman: Have you got a QC?

Mr. Ruston: Have I got my QC?

Hon. Mr. Grossman: Yes.

Mr. Ruston: No, but some who have them don't use them right.

Hon. Mr. Grossman: Neither have I, so let's both stay out of it.

Mr. Chairman: Does the member for Lambton want to say something in this area?

Mr. Henderson: Yes, Mr. Chairman, I am a little concerned, but I am going to accept the minister's word that a person driving a Ski-Doo or snowmobile on their own property is not required to have a driver's licence.

An hon. member: Right.

Mr. Henderson: That's what I accept from the minister's interpretation of this.

I would like to go a step further, Mr. Minister. We do have problems in the rural areas that when a farmer loses his driver's licence for a period of time, under the Criminal Code he is not allowed to drive the farm tractor or combine on a highway, but he can drive it on the farm property. I take the same interpretation from this, that no licence is required on your own property.

Mr. Chairman: Is it your pleasure that I read the amendment again or take it as read?

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, just on that point; I didn't understand the minister in that fashion. The construction the member for Lambton has put on this amendment is somewhat different than I had understood when the minister initially announced it.

The construction that the member for Lambton has put on it is that if a person is driving on his own property he doesn't need a driver's licence at all. The construction that I had put on the amendment, when the minister introduced it, was that he still had to be the holder of a driver's licence, but he didn't necessarily have to have it on his person. Now may I have some clarification of that point, because there's quite a difference?

Mr. Chairman: Mr. Minister.

Hon. Mr. Rhodes: It seems to me that if you don't have to carry something, then you obviously aren't required to produce it while you are driving the vehicle on your own property.

Mr. Gaunt: No, no.

Hon. Mr. Rhodes: That's your interpretation of it; there's nothing in the Act that requires you to produce the driver's licence at a later date.

Mr. Ruston: Section 14 (2).

Hon. Mr. Rhodes: Section 14 (2) says "every person who is unable or refuses to produce his licence in accordance with subsection 1."

Mr. Ruston: Yes, that's the trouble. I'll ask my learned friend from Kitchener—

Mr. Breithaupt: I would raise the same point that the member for Huron-Bruce has raised. It would have been my presumption that a licence was not required, under our present attitude, for a person driving a vehicle such as this on his own property. However, now that you are saying that a licence need not be produced, the presumption seems to stand in my mind that a person has to have a licence, but simply does not have to have that licence on his person, with him at the time; and therefore I think the matter is somewhat open to question.

I think the member for Lambton has raised a good point. The understanding I drew from the minister's comments was quite different than the minister appears to have intended.

Mr. Eaton: I would tend to agree with what has been said, Mr. Chairman, and would suggest this should be the same as the licence for the vehicle itself. A licence for the vehicle itself or a driver's licence should not be required on your own property.

Mr. Rhodes: Mr. Chairman, I think maybe I've got it clarified in my mind now. Section 8 is the section that tells you where you are required to have the licence. That section says: "No person shall drive a motorized snow vehicle along a highway unless he has attained the full age of 16 years," and so forth, "across a highway or on a public trail." Those are the only places where you are required to have such a licence. It doesn't say anything about having to have it on your own land or anywhere else.

Mr. Gaunt: Okay.

Hon. Mr. Rhodes: Okay? Section 14 is identification.

Mr. Gaunt: Yes, the interpretation is right.

Hon. Mr. Rhodes: They're right.

Mr. Chairman: All those in favour of Mr. Rhodes' amendment please say "aye."

All those opposed please say "nay."

Motion agreed to.

I declare the amendment carried.

Section 14, as amended, agreed to.

Mr. Chairman: Anything before 17?

Mr. Henderson: Mr. Chairman, I am concerned—

Mr. Chairman: What section of the bill are you speaking on?

Mr. Henderson: I'm concerned with section 16 and its reference to a tow bar, which appears to apply to the overall bill.

Hon. Mr. Rhodes: Mr. Chairman, I think maybe I've got it clarified in my mind now.

Section 15 agreed to.

On section 16:

Mr. Henderson: It excludes a tow bar where a machine has broken down and they have to pull it out of a ditch. I think there should be some exclusions where a machine breaks down back in the bush in an emergency situation and they have to use a rope. I think there should be an additional amendment here, Mr. Chairman, and I don't have it.

Hon. Mr. Rhodes: Mr. Chairman, remember again now that this only applies to the serviced roadway or highway. It doesn't apply to towing it out of the bush. It is saying that you can't tow them with a rope along the highway.

Mr. R. G. Hodgson: Or a public trail.

Hon. Mr. Rhodes: Or public trails either. There's really nothing wrong and I don't see any need that we should have to provide that they can tow them. If we don't want them towed, whether they're broken down or not there are other methods of moving them. In fact, most of them are kind of semi-doubledecked to be taken if they're out of commission. I'm a little concerned about allowing the towing of these things. It's a dangerous practice along the roadways in particular.

Mr. Henderson: Mr. Chairman, I would like to ask the minister to consider an addition to subsection 3 in 16, whereby—and I don't have the wording of it, I'm sorry—a machine that's broken down could be towed with a rope out to the closest roadway.

Hon. Mr. Rhodes: Mr. Chairman, he can do that now.

Mr. Henderson: Well, maybe I haven't given it the proper interpretation. I'm thinking of unopened road allowances where it would be illegal in parkland. And you say it only applies to roadways?

Hon. Mr. Rhodes: Roads or public trails.

Mr. Henderson: I'm a little concerned yet, Mr. Minister. We lack something there in that section.

Mr. Ruston: Well, I have a recommendation here. Maybe you could change the section to read: "This section does not apply to a person while he is driving a motorized snow vehicle for the sole purpose of unditching a stuck vehicle or conveyance or when operating trail maintenance equipment or under emergency rescue situations." I don't know, maybe that's more complicated that the minister would accept.

Hon. Mr. Rhodes: Does anyone else want to comment on that? I think it's a delightful amendment.

Mr. Good: It ought to be on the association records.

Hon. Mr. Rhodes: I have got it right here.

Mr. Chairman: You've all heard the amendment proposed by Mr. Ruston.

All those in favour please say "aye."

All those opposed please say "nay."

I declare the amendment carried.

Motion agreed to.

Section 16, as amended, agreed to.

Mr. Chairman: Any other section?

On section 17:

Hon. Mr. Rhodes: Section 17, Mr. Chairman, I would move that section 17 of the bill be amended by inserting after "vehicle," in the fourth line, the words "on a serviced roadway or public trail." What we are doing, Mr. Chairman, is simply to say that the requirement of wearing a helmet can only be on the public roadway or on a public trail.

Mr. Chairman: Is the amendment carried?

Mr. Eaton: I would like to make one comment on that. I don't know what you consider a public trail, whether it is one that is open to everyone in the public or to a snowmobile club. Some of the clubs have their own trails and I would think it would be well to legislate, and I know the clubs support the idea, the need to have helmets on the private trails of those clubs.

Mr. Ruston: It is in the definitions.

Hon. Mr. Rhodes: Mr. Chairman, I would suggest there is nothing to prevent people from wearing helmets if they wish to wear

them. We are simply not going to force them to wear them in areas other than on public trails and the highways. If they wish to run on their own property and private property without helmets then I suppose that is up to them, but they certainly have every right to wear them and we would encourage them to wear them as much as possible.

Mr. Chairman: The member for Simcoe East.

Mr. G. E. Smith: Could I ascertain from the minister, Mr. Chairman, whether this would apply to a lake in a municipality—a public lake, public property, really? I think it should.

Hon. Mr. Rhodes: A lake is not considered a highway as far as the definition in the Act is concerned. That would be something that the municipality which has a lake and over which it has control could legislate itself.

Mr. Eaton: Mr. Chairman, I would still like to refer to that because the reference here is to trails supported "in whole or in part by public funds." Now the snowmobile clubs have their own trails.

An hon. member: They get the grants.

Mr. Eaton: They may not necessarily get grants. They really don't want the grants the way it is set up now, because that is going to mean that anybody can come out and go on their trails, and yet those clubs have backed the use of the helmets and I think they should be mandatory on those types of trails as well.

Hon. Mr. Rhodes: Mr. Chairman, I am not going to start putting legislation in to require helmets on these private trails. I suggest that these are private trails, as they don't come under the definition of a public trail or highway within the Act, and, if the clubs which operate these trails want their members to wear helmets, then they can make it a club regulation and kick them out if they don't, but I am not going to put it in the legislation.

Mr. Chairman: Shall the minister's amendment form part of the bill?

Motion agreed to.

Mr. Chairman: Shall section 17 carry?

Section 17 agreed to.

Mr. Chairman: Anything before section 22? The minister has an amendment on section 22.

Section 18 agreed to.

On section 19:

Mr. Gaunt: Mr. Chairman, I do want to commend the minister for section 19. I think it is excellent legislation and I think it is something that every property owner, and certainly every farmer in the Province of Ontario is glad to see and we are all grateful for it. Thank you very much, sir.

Sections 19 to 21, inclusive, agreed to.

Mr. Chairman: On section 22. The minister.

On section 22:

Hon. Mr. Rhodes: I hope you will accept this with as much grace—

Interjections by hon. members.

Mr. E. J. Bounsall (Windsor West): Oh, here it comes.

Hon. Mr. Rhodes: No, it is actually a good one.

Hon. Mr. Rhodes moves that section 22 of the bill be amended by adding thereto the following subsection, subsection 6: "No action or prosecution for a contravention of subsection 1 shall be commenced except at the request of the owner or occupier of the land or his authorized agent."

Hon. Mr. Rhodes: I think, Mr. Chairman, that removes the fears that some members have placed before me that it would simply be open season on anyone who was on private land if enforcement officers could go on to any private land and enforce the requirements of this Act. It can only be done under this section upon complaint.

Mr. Henderson: Mr. Chairman, might I request a further clarification from the minister? I myself have a property a mile away from home which is used by snowmobilers all winter when there is snow. Now with this amendment, can the people continue to use that property and not need my consent?

An hon. member: If a charge isn't laid.

Hon. Mr. Rhodes: That is correct. If you do not wish to complain to the police or the enforcement agency, or if there is no one to lay a complaint—the owner, or the occupier, or the authorized agent—then there is no reason for a charge to be laid.

Mr. Henderson: So this means that it is not compulsory for a snowmobiler to go to the property owner to clear himself to go across open lands in this province?

Mr. Gaunt: No, but he would be smart to do it.

Mr. Henderson: Well he might be, but it does clear the situation. He might be wise, yes, I wouldn't argue. But it clears it in my mind and I support the amendment.

Mr. Chairman: Shall the minister's amendment to section 22 form part of the bill?

Motion agreed to.

Section 22, as amended, agreed to.

Mr. Chairman: Any other sections before 27?

Section 23 agreed to.

On section 24:

Mr. Ruston: Section 24, Mr. Chairman, I am a little concerned about this. I don't recall that we actually had this in our snowmobile report. It is "requiring, prohibiting or regulating the use of any equipment or ornamental device, accessories," and so forth.

I'm just wondering, when the federal goverment lays down the standards of a machine, whether we should actually get involved in it, because I think it could be very complicated for the manufacturers who sell them in all parts of Canada. I don't think we really intended this. Maybe this is something that we may have mentioned in our report, but I don't think we actually recommended that we have the province set up regulations controlling accessories and components on any motorized snow vehicle.

I'm concerned about the problems that the manufacturers would face in different provinces if we start setting this up. I think it should be left in the hands of the federal government, because it would be very difficult to police it. Imports and all such things come under the regulations of the federal government. I just wanted to comment on that.

I have an amendment to have that section 24 (1)(b) deleted. I don't think we should have it in there but I would like to have your comments before I place the motion. Or I'll make the motion, Mr. Minister, then I'll try to put my point across a little more clearly.

Mr. Chairman: Mr. Ruston moves that section 24 (1)(b) be deleted.

Mr. Ruston: Mr. Minister, section 18 of this Act and subsection 15(2) of this Act require a motorized snow vehicle to conform to federal law and to be maintained in its original form during use. The regulations of the vehicle equipment, etc., should remain the responsibility of the federal government. If each province designed its own motorized snow vehicle, the cost of such units would skyrocket. Competition between many manufacturers based on uniform standards provides buyers with the lowest prices for the safety features of machines. What I'm getting at is that we might put something in the regulations that could make it rather complicated to import machines or manufacture them in other provinces.

Hon. Mr. Rhodes: Mr. Chairman, we recognize that the federal government covers the basic machine and the design of that machine in terms of the safety features on it. What our concern is—and I think we should leave this in the Act—is that someone can come along and put any sort of ornamental attachment they want on a snow machine. It could prove to be very dangerous—dangerous to themselves and dangerous to other persons who may be using the trails or roadways—so we feel we have to be in a position to be able to prohibit this sort of thing being added to the machine, over and above the requirements that have been set out in the federal legislation.

Mr. Ruston: Okay, Mr. Chairman, I think I'll withdraw that amendment then. I may have been reading more into it than what's really in it. The minister explained it okay.

Mr. Chairman: Are there any other amendments or do any members wish to comment?

Hon. Mr. Rhodes: Yes, Mr. Chairman, I have an amendment to section 26.

Sections 24 and 25 agreed to.

On section 26;

Hon. Mr. Rhodes moves that subsection 1 of section 26 of the bill be struck out and the following substituted therefor: This Act, except subsection 7 of section 2; subsections 5 and 6 of section 6; clause c of subsection 1 and subsection 2 and 3 of section 8 and section 9, comes into force on the day it receives royal assent.

Hon. Mr. Rhodes further moves that subsection 3 of the said section 26 be amended by inserting after "section 6" in the first line, "clause c of subsection 1 and".

Mr. Ruston: Mr. Chairman, did the minister mention subsection 2? Should it not be removed? Was it removed? Subsection 2 of this section should be removed.

Interjection by an hon. member.

Mr. Ruston: Yes, but with the amendment from the member for Middlesex South, I

felt that since subsection 2—I had an amendment to change subsection 2 to read Sept. 1, 1975, but that is out of the window now that we have a complete new subsection. I feel this should be taken right out.

Hon. Mr. Rhodes: Yes, that's correct. With the amendment that was placed to section 6 (5) and (6), this is not required at all.

Mr. Henderson: You don't want it? It is effective now?

Hon. Mr. Rhodes: It is effective now.

Mr. Chairman: Just a minute, until we get this one straight. You had better strike out what you want to strike out of your amendment.

Hon. Mr. Rhodes: No, I think it is all right.

Mr. Chairman: It is okay the way it is?

Hon. Mr. Rhodes: Yes.

Mr. Henderson: Well, is that definite that subsection 2 is out, Mr. Chairman? I want to make sure of that.

Mr. Chairman: I better read this so I'm sure you understand it.

Hon. Mr. Rhodes has moved that subsection 1 of section 26 of the bill be struck out and the following substituted therefor:

This Act, except subsection 7 of section 2; subsections 5 and 6 of section 6; clause c of subsection 1 and subsections 2 and 3 of sections 8 and 9, comes into force on the day it receives royal assent. Hon. Mr. Rhodes moved that subsection 3 of the said section 26 be amended by inserting after section 6 "in the first line," clause c of subsection 1 and."

Mr. Eaton: Mr. Chairman, through you to the minister, wouldn't subsection 5 and 6 of section 6 now go ahead as they are and not be left out at this time?

Hon. Mr. Rhodes: Hold that for just a second. I want to go back to the section that we had set aside for new wording on the amendment.

Mr. Chairman: Yes, the amendment to section 4, subsection 2.

Mr. Ruston: Section 2, subsection 4.

Mr. Chairman: I can only read what is before me.

Mr. Henderson: The member for Essex-Kent, Mr. Chairman, was speaking on clause k of subsection 1 orginally. That was the one that was laid over.

Hon. Mr. Rhodes: No, I think the one we are talking about was section 3.

Mr. Chairman: No subsection 2 of section 4, is that right?

Mr. Ruston: That's right.

Hon. Mr. Rhodes: So we can take section 2 (1). I'd like to add after "subsection 3," the words "or except on land occupied by the owner of the motorized snow vehicle." That will take care of the amendment as suggested.

Mr. R. F. Nixon: If you say so.

Hon. Mr. Rhodes: What seems to be the problem? Just wait a second and we will get it all straightened out.

Mr. R. F. Nixon: Who's on first?

Hon. Mr. Rhodes: Mr. Chairman, before we go on with that I would like to clarify that section 26.

Hon. Mr. Rhodes moves that subsection 1 of section 26 be struck out and the following substituted therefor:

This Act, except subsection 7 of section 2, clause (c) of subsection 1 and subsections 2 and 3 of sections 8 and 9, comes into force on the day it receives royal assent. Hon. Mr. Rhodes further moves that subsection 2 of the said section 26 of the bill be struck out.

Hon. Mr. Rhodes further moves that subsection 3 of the said section 26 be amended by striking out "subsection 6 of section 6" in the first line and inserting in lieu thereof "clause c of subsection 1 and."

Hon. Mr. Rhodes: I think that clears it up.

Mr. Chairman: You heard the minister's amendment. Shall it form part of the bill?

Motion agreed to.

Section 26, as amended, agreed to.

Mr. Chairman: We have to go back to section 2.

Mr. Ruston: Subsection 4.

Mr. Good: Just a minute, he is getting an amendment.

Mr. Breithaupt: Things go so smoothly when there are no lawyers in the House.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): You said it.

Hon. Mr. Rhodes moves that section 2(1) be amended by adding after the words "subsection 3" in line 6: "or except on land occupied by the owner of the motorized snow vehicle."

Hon. Mr. Rhodes: I think, Mr. Chairman, that is the place for the amendment that will meet the requirements which the member for Essex-Kent had proposed earlier.

Mr. Chairman: Carried.

Motion agreed to.

Section 2, as amended, agreed to.

Mr. Chairman: Shall the bill be reported as amended?

Bill 161, as amended, reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments, and ask for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 161, the Motorized Snow Vehicles Act, 1974.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would like to inform the members of the House that I have called for the Lieutenant Governor and Her Honour is waiting to give royal assent in the chamber.

ROYAL ASSENT

Hon. Pauline M. McGibbon (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

The Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 72, The Education Act, 1974.

Bill 81, The Provincial Parks Municipal Tax Assistance Act, 1974.

Bill 113, An Act to amend the Municipal Affairs Act.

Bill 134, The Employment Standards Act, 1974.

Bill 161, The Motorized Snow Vehicles Act, 1974.

Bill 164, An Act to amend the Municipality of Metropolitan Toronto Act.

Bill 165, An Act to regulate the Business of selling and dealing in Travel Services.

Bill 170, An Act to amend the Legislative Assembly Act.

Bill 173, The Regional Municipalities Amendment Act, 1974.

Bill 174, An Act to amend the County of Oxford Act, 1974.

Bill 175, An Act to amend the District Municipality of Muskoka Act.

Bill 180, An Act to establish the Ministry of Culture and Recreation.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Hon. Pauline M. McGibbon: With permission of the House, before I leave, may I wish you all a very happy holiday season.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

Mr. Speaker: This House stands adjourned until a date to be named by the Lieutenant Governor by her proclamation.

The House adjourned at 3:45 o'clock p.m.

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No. 163

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, January 27, 1975

Afternoon Session

Clerk: Roderick Lewis, QC
Speaker: Honourable Russell Daniel Rowe

THE QUEEN'S PRINTER
PARLIAMENT BUILDINGS, TORONTO
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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JANUARY 27, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: I beg to inform the House that during the recess I received communication from the Lieutenant Governor in Council naming the members of the Board of Internal Economy, pursuant to the amendments of the Legislative Assembly Act, contained in Bill 170, which communication I have tabled.

Further, I have received the final report on cultural nationalism and the final report on economic nationalism from the select committee on economic and cultural nationalism, which completes that committee's work.

I know that all hon. member's will join with me in welcoming to the House this afternoon the distinguished members of the House of Assembly of the Province of Newfoundland who are seated in Mr. Speaker's gallery.

We have Mr. Ben Howard, Mr. Michael Martin, Mr. Stephen Neary and Mr. Aubrey Senior. These people are visiting Toronto as part of the activities of the Commonwealth Parliamentary Association and they will be meeting a number of the members of the House. I know you will afford a warm welcome to our colleagues from Newfoundland.

I recognize the hon. Attorney General.

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, I am delighted to introduce to the House today the Hon. Lee Moore, Attorney General of St. Kitts, Nevis and Anguilla. He is in the Speaker's gallery.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I too would like to take the opportunity of welcoming to the Legislature some 30 students from Forest Heights Secondary School in Kitchener with their teacher, Mr. William Lovell. They are visiting today, and I'm sure would be very interested in the operation of this first day of the resumed session.

Mr. Speaker: Statements by the ministry.

ROSS SHOULDICE

Hon. W. G. Davis (Premier): Mr. Speaker, I have a brief statement to make related to a story in this morning's Globe and Mail. At about 11:30 this morning I held a press conference here in the buildings, at which time certain aspects of the story were discussed and questions asked. So that the members of the House won't feel they were not a part of it, I would like to restate some of the things that were said this morning.

Firstly, Mr. Speaker, I think there were two aspects to the Globe and Mail story. Firstly, it related to the question of one Ross Shouldice and perhaps the suggestion that this government was not giving him the same kind of treatment it would anyone else as it related to his licence to practise in the real estate business in this province.

The second aspect related to the acquisition by the Ministry of Transportation and Communications of a certain parcel of land in Oakville and the suggestion, which I say with respect I think was contained in that story, Mr. Speaker, that some pressure was brought to bear on some members of the government or the ministry to acquire this land in other than a straightforward, appropriate fashion.

Mr. Breithaupt: I think there was that inference.

Hon. Mr. Davis: Mr. Speaker, I should say to the House that I received a letter from Mr. Shouldice—I believe it was dated Oct. 22—asking for an appointment to discuss the results, which were less than favourable as far as the party was concerned, in the Sudbury area. I met with Mr. Shouldice sometime in November. As a result of that meeting I spoke to Mr. Kelly—

Mr. E. W. Martel (Sudbury East): Nov. 16.

Hon. Mr. Davis: —the treasurer of the party in the Province of Ontario and told Mr. Kelly that Mr. Shouldice was not to be involved in any further aspects of party organization or fund raising, which point of view Mr. Kelly completely accepted.

Mr. Martel: Did it take the Premier 10 years to find that out?

An hon. member: He'd already done the job.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, I haven't known Mr. Shouldice as long as the member for Sudbury East has.

Interjections by hon. members.

Hon. Mr. Davis: I can say, Mr. Speaker, from my standpoint and from the standpoint of the treasurer of the party, Mr. Shouldice is not involved. I can also say this, Mr. Speaker, as I read the Globe story, with respect to the suggestions that Mr. Shouldice had some influence and was in a position to suggest to this government who should or who should not receive work from this government by way of legal services or what have you, I think the story demonstrates, or at least this is my interpretation of it and I hope it's right, that this actually did not happen.

Mr. J. F. Foulds (Port Arthur): Hope springs eternal.

Hon. Mr. Davis: I will be asking the Minister of Transportation and Communications, Mr. Speaker, to table the complete file as it relates to the particular property acquisition in question. I myself have seen that file. There is just nothing in it that suggests that Mr. Shouldice was in any way involved. There are two appraisals. The market price is without question within the context of those appraisals. The land was negotiated after a plan of dedication, which the lawyers opposite will understand, was filed in the registry office concerned; so any suggestion that this plan was not needed in terms of the plans of the Ministry of Transportation and Communications is totally wrong. I am also empowered to say, Mr. Speaker, that it has been communicated to me that Mr. Feldman, the gentleman who was referred to in the article, will be making something of a statement later on today and part of that statement will contain a statement by him that not only has he not contributed to the Progressive Conservative Party in the Province of Ontario, he hadn't even been asked.

I would like to make this final observation, Mr. Speaker. I am prepared to accept responsibility for the affairs of the Progressive Conservative Party. I consider it a great honour to lead that party and my colleagues here in the House.

Mr. Breithaupt: Charge of the light brigade.

Hon. Mr. Davis: I cannot, nor shall I, take responsibility for those few individuals who from time to time misuse their positions of authority or responsibility, or in some cases just volunteered, and I refuse to accept those individual situations. I will not accept whatever Mr. Shouldice has or has not done as influencing me or any of my colleagues or the government of this province as it relates to our responsibilities, and I make that statement here categorically.

Mr. F. Laughren (Nickel Belt): Strange coincidence there.

Interjections by hon. members.

Mr. Martel: And he lets the seals pound from time to time.

Mr. Speaker: Order please.

WOODCUTTING OPERATIONS NEAR ARMSTRONG

Hon. A. Grossman (Provincial Secretary for Resources Development): Mr. Speaker, I am pleased to announce that arrangements have been made with Domtar Ltd., to proceed with woodcutting operations near Armstrong. This will be carried out in co-operation with the Armstrong Development Corp. The operation will be between 10 to 30 miles from Armstrong and it is planned to operate a commuter bus service so that the employees will not be forced to live away from home.

This activity alone will provide an opportunity for the employment of at least 40 to 45 local residents and thus offset the loss in jobs created by the federal government's closing of the radar base in Armstrong last year.

The Ontario government, through the Ministry of Natural Resources, will assist in the creation of these jobs through the Crown management unit announced earlier, and the funding of access roads in the logging area.

The first-stage access roads, costing a total of $100,000, are scheduled to be finished by spring. This operation alone will be providing 15 local jobs. The agreement with Domtar will not prevent private individuals from securing short-term licences to cut timber on the Crown management unit. The agreement with Domtar Ltd. should result in a capital-equipment investment in excess of half a million dollars and the creation of a $600,000 annual payroll for the community.

The logging activity is planned to begin this spring. In the interim, in conjunction with the Ontario Ministry of Colleges and Universities and the federal Department of Manpower and Immigration, Domtar will train the people of Armstrong who will be employed by the company, and provide payment during the training programme.

In addition to this, negotiations are still continuing between the provincial government, the federal government and private entrepreneurs to use the base for a small industrial plant. The sale of the base has been delayed to allow detailed investigation of all reasonable proposals toward this end.

However, Mr. Speaker, I should also advise the hon. members that we now have a similar problem arising in Moosonee, since on Friday, Jan. 17, the Minister of National Defence announced the closing of the Canadian Forces station in that municipality. We have already started to examine the possible effects of the closure. In addition, the hon. Robert Andras, who, since his appointment as federal co-ordinator on Armstrong, has worked closely with us on the problems confronting that community, has agreed to work with me in the same manner on the problems in Moosonee.

Arrangments are now being finalized for a visit to Moosonee within the next few days to review the situation with the community leaders in that municipality.

Mr. Speaker: Oral questions. The hon. Leader of the Opposition.

ROSS SHOULDICE

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I'd like to put a question to the Premier following his statement—

[Applause.]

Hon. Mr. Grossman: The Leader of the Opposition hasn't said anything yet.

Mr. Breithaupt: The Premier didn't say anything but the members opposite applauded him.

An hon. member: It's now or never, eh?

Mr. H. C. Parrott (Oxford): See if he is as brilliant as he has always been.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Is the leader going to have another convention?

Hon. Mr. Grossman: That is the best way to get your applause in advance.

An hon. member: He's got the people behind him now.

Hon. Mr. Grossman: He should quit when he's ahead.

Hon. Mr. Rhodes: Let's hear it for the member for Scarborough West.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. R. F. Nixon: Thank you, Mr. Speaker. I'd like to put a question to the Premier, following his statement. Since he must certainly be aware that not everyone in the province is as enthusiastically prepared as his colleagues to accept his statement today, and that there is—

Mr. Speaker: Question.

Mr. R. F. Nixon: —evidently some substantial concern—

Mr. Speaker: Order please. Would the hon. Leader of the Opposition place his question?

Mr. R. F. Nixon: Yes, I'm getting to it, Mr. Speaker, with your assistance.

Mr. Speaker: Thank you.

Mr. R. F. Nixon: There is some substantial concern that in fact a commission was paid to someone who assisted in the sale of the property that the Premier has indicated in his press conference was needed for highway expansion; and since there has been a substantial parallel between what the Premier said today and what he said in 1971 after it became apparent that Fidinam Ltd. had contributed $50,000 to his party, would he not believe it would be the best thing for the people in the province, and particularly for himself, since he has accepted responsibility in this matter, if there were a full judicial inquiry into this and similar matters pertaining to the funding of the 1971 election, on behalf of the Progressive Conservatives and anyone else, and specifically the actions in fund raising since?

Hon. Mr. Davis: Mr. Speaker, there has been nothing in the story, or any documentation I have seen, that would prompt me into believing there should be a royal commission or a commission of inquiry and it's not my intention—

Mr. T. P. Reid (Rainy River): That's the Premier's judgement.

Hon. Mr. Davis: Certainly that's my judgement, and I'm prepared to exercise it.

Interjections by hon. members.

Hon. Mr. Davis: If the Leader of the Opposition has available to him certain documentation that proves there was something paid by way of commission, that there was influence used with respect to the acquisition of that property—

Mr. S. Lewis (Scarborough West): That is what an inquiry would show.

Hon. Mr. Davis: —then, Mr. Speaker, I would be delighted to see it; but there is nothing in the Globe story that so states. Mr. Feldman is going to be stating that he made no contribution to the party, that he was not even approached by the party, and the treasurer of the party has said that there was none.

Mr. Laughren: Did he pay a commission?

Mr. Lewis: Did he pay a commission?

Hon. Mr. Davis: He says there was no commission to anyone.

Mr. Speaker: Order please.

Hon. Mr. Davis: He paid no commission. It was in the Globe story this morning.

Mr. R. F. Nixon: I asked was there a commission?

Mr. Lewis: Was there a commission?

Mr. J. A. Renwick (Riverdale): No, none.

Mr. V. M. Singer (Downsview): No, no.

Hon. Mr. Davis: Well all right; reread it. I would say, Mr. Speaker, that we have already—and it was no easy decision on my part—had the police investigate the situation related to Fidinam. It was debated in this House. It was the subject of a great deal of newspaper comment.

Mrs. M. Campbell (St. George): Still is.

Hon. Mr. Davis: It was investigated thoroughly by the Ontario Provincial Police, involving the Treasurer of the province and others; but of course it did not receive the same attention when their report came in stating categorically there was no wrongdoing whatsoever. I have no intention—

Interjections by hon. members.

Mr. R. F. Nixon: Supplementary: Since it is apparent that the Premier's answer is specifically, and in this case completely unsatisfactory, is he aware that if he does not refer this to a royal commission it will simply have to be decided by the people in a general election? And is he prepared to put it to that test?

Mr. Reid: Another by-election!

Hon. Mr. Davis: Mr. Speaker, I will be prepared to put a number of issues to the people of this province at the appropriate time. It will not be like the stated policy or position of the Liberal Party, where there are no issues, there are no policies and they are going to spend $5 million—

Mr. Reid: The Premier is the issue: the Premier and his government are the issues.

Hon. Mr. Davis: They are publicly on the record as spending $5 million to destroy the member for Peel North. I didn't know I had such value until I read that. I didn't know I had such value.

Mr. R. F. Nixon: The Premier thinks this is going to die like Fidinam? Pack away another $50,000 and smile all the way to the bank.

Hon. Mr. Davis: Five million dollars to destroy me? Heavens!

Mr. Breithaupt: Twice the price.

Mr. Lewis: If the Premier is implying that it could be done for less, he may be right.

Mr. Speaker: Order please.

Mr. E. R. Good (Waterloo North): He is doing it for nothing himself.

Mr. Lewis: Mr. Speaker, I have a supplementary, if I may. Since the Premier is so strong in his protestations of innocence about all of this—

Mr. Breithaupt: He doth protest too much.

Mr. Lewis: —why does he not simply put it to a full public inquiry, if he feels that no flanks are exposed, if he feels there was integrity to the transaction? Since all the questions are now raised irreversibly in the public mind, why doesn't the Premier, as leader of the government, set the public mind at rest and call the inquiry?

Hon. Mr. Davis: Mr. Speaker, I am very confident that when the members of the opposition, along with the press, have assessed the file from the Ministry of Transportation and Communications, they can come to only one conclusion; that there was

no influence whatsoever, there was nothing improper whatsoever in the acquisition of that property by the ministry. I would say to the leader of the New Democratic Party that if he and his colleagues felt so strongly about this, for heaven's sake why did they sit on those letters for 14 months?

Mr. Lewis: I can answer that.

Mr. Speaker: Does the Leader of the Opposition have any further questions?

Interjections by hon. members.

Mr. Martel: Supplementary.

Mr. Speaker: Supplementary?

Mr. Martel: Supplementary, Mr. Speaker—

Interjections by hon. members.

Mr. MacDonald: Nothing was said by the Premier about Fidinam for two years till somebody spoke to him.

Mr. Martel: I could answer the Premier's question as well.

Will he table all the documentation that was seized from Mr. Shouldice—

Mr. Speaker: Order, please. The original question had to do with the possibility of an inquiry. The member may get to that question later.

Anything further from the hon. Leader of the Opposition?

Mr. Laughren: Supplementary, Mr. Speaker.

Mr. Speaker: On this question?

Mr. Laughren: Yes, on this question.

Hon. Mr. Grossman: There is the long and the short of it.

Mr. E. J. Bounsall (Windsor West): Oh, the hon. minister is witty today!

Mr. Laughren: Well, he won't divert us that way. Will the Premier assure us that Ross Shouldice, the ailing Ross Shouldice, will be brought back to this province in order to appear before the appeal tribunal of the real estate board?

Hon. Mr. Davis: Mr. Speaker, if the hon. member had done his homework—

Mr. Speaker: That was the wrong question but we will allow the answer.

Hon. Mr. Davis: —instead of just gossiping about it, he would have found out that the tribunal has already set a peremptory date as of April 8 for the determination of Mr. Shouldice's licence.

Mr. Laughren: Supplementary, Mr. Speaker.

Mr. Speaker: Order, please.

Mr. Laughren: Why did it take this long to get him back here?

Mr. Speaker: Order, please. The member's supplementary question was out of order.

Does the hon. Leader of the Opposition have any further questions?

REAL ESTATE AGENTS

Mr. R. F. Nixon: I'd like to put a question to the Minister of Consumer and Commercial Relations, with my compliments on his appointment.

Can he assure the House and the real estate dealers of the province that it was just an error which prompted the amendment to Bill 55, which is of concern to them, that they are going to be affected by an amendment which had not been preceded by any consultation?

Mr. Renwick: Of course not. He had representatives in the committee one day. He knows that.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): Mr. Speaker, first of all, the amendment was of course passed in an all-party standing committee of the Legislature. It wasn't introduced by the government.

Hon. G. A. Kerr (Solicitor General): The member for Lakeshore (Mr. Lawlor), voted against that.

Hon. Mr. Handleman: I feel there is some misinterpretation of that particular section and we are not proceeding with the passage of the bill until we have had further consultations with the industry.

FIRE SAFETY ON LICENSED PREMISES

Mr. R. F. Nixon: I have a further question of the same minister. Has he followed and been informed of the findings of the inquest in Brant county having to do with the death of five residents of a hotel in Paris, Ont., where the fire inspection was clearly and directly the responsibility of the

Liquor Licence Board of Ontario, and it was found that it was seriously in default, both in inspection and in maintenance, which led to the death of these five people?

Hon. Mr. Handleman: Mr. Speaker, I am aware of the fact that there is an inquest going on, and I am not aware of the fact that the findings of the coroner are as described by the hon. Leader of the Opposition. I'll wait until I get their findings before commenting.

Mr. R. F. Nixon: Supplementary: Since the accident was of such a serious nature and evidently there is legislation that the minister may be putting before the House within the next day or two, will he inform himself in these circumstances so that when we come to those areas in the new legislation dealing with fire inspection, we can specifically put it back at the community level and take it out of the hands of the Liquor Licence Board?

Hon. Mr. Handleman: Mr. Speaker, the power of the liquor inspectors to act as the fire marshal's agents is not contained in the liquor legislation. It is contained in the fire marshal's legislation. However, I certainly have been looking at it for the past few days and I hope to have some suggestions to make to the House.

GAS RATE INCREASE

Mr. R. F. Nixon: I have another question, Mr. Speaker, for the Minister of Energy, and I compliment him on his appointment. I don't know what he is going to do. He's a little chubby to be a hatchet man, but maybe there is something that he can do.

I'd like to ask him if he has informed himself as to the application of the rate increase for natural gas which apparently was to come into effect Jan. 1, 1975, but which has been applied to the bills from December, much to the dismay of people who have received these bills.

Hon. D. R. Timbrell (Minister of Energy): Yes, Mr. Speaker, I am looking into that matter. It involves both our ministry and the Ministry of Consumer and Commercial Relations. I'll report back on it.

Mr. R. F. Nixon: Supplementary: Would it be within the ambit of the minister's responsibility to issue an order that those bills must be recalled and reissued, based on the old rates for the December usage of gas?

Hon. Mr. Timbrell: As I said, Mr. Speaker, I intend to report back on it. He is getting into the area of the division of responsibility between the two ministries and the responsibility of the Energy Board.

Mr. R. Haggerty (Welland South): Somebody has to have some responsibility.

Hon. Mr. Timbrell: Yes. And, as I say, when I have all the facts I will report back.

Mr. R. F. Nixon: If you will permit just one other supplementary, is it correct that those complaints that have come to us as members, from the users of natural gas—that they have been billed on the basis of gas used before the rate increase was allowed—are correct, and if they are correct, in fact they will not have to pay the elevated rates? Surely that's apparent?

Hon. Mr. Timbrell: I haven't seen any letters from consumers on this specific subject since I have taken over, Mr. Speaker. I have seen some press reports. I have asked for more information on it. I believe there was some discussion between officials of the Energy Board and the gas companies on this and, as I said, when I have all of the facts—not just press reports, but all of the facts—I will report back.

Mr. Speaker: Any further questions? The leader of the New Democratic Party.

ROSS SHOULDICE

Mr. Lewis: I have a question of the Premier, Mr. Speaker. Is the Premier prepared to have tabled the correspondence that was seized from Mr. Shouldice, preparatory to the tribunal hearing which he now says has been set for April 8, or to order that that correspondence be tabled, particularly on those matters which related to political activity of one kind or another?

Hon. Mr. Davis: Mr. Speaker, I am not prepared to say that we will. It's a matter that I would be quite prepared to discuss with the minister if it relates to the hearing itself, I doubt that it could be, but I will look into it.

Mr. R. F. Nixon: Supplementary: Can the Premier comment on the indications that whoever had custody of that correspondence had copied it and made it available to other people in the community? Is he aware of the circumstances that permitted that to happen?

Hon. Mr. Davis: Mr. Speaker, the member might ask somebody else.

Mr. Speaker: The member for Sudbury East.

Mr. J. M. Turner (Peterborough): Here he is. Here is the man.

Mr. Speaker: Order, please. Is this a supplementary?

Mr. Martel: Supplementary.

Mr. R. F. Nixon: It is the same guy who released the cabinet changes.

An hon. member: He's one of the Snoop sisters.

Mr. Speaker: Order, please. The member for Sudbury East wishes to ask a supplementary question.

Mr. Martel: In the documentation which the police seized, was there in fact a letter similar to that addressed to the Premier, also addressed to the then Attorney General, soliciting favours?

Hon. Mr. Davis: Mr. Speaker, I certainly am not aware of it. I haven't seen the material that was obtained by, I gather, the OPP. I haven't seen it.

Mr. Martel: Maybe the Premier got one. Isn't it a fact that the reason the Premier doesn't want to disclose that material is that Shouldice was a prolific writer and, in fact, throughout all his correspondence—

Mr. Speaker: Order, please. This doesn't seem to be supplementary to the original question.

Mr. Martel: This is a supplementary question.

Mr. Lewis: It is a supplementary.

Hon. Mr. Rhodes: Show a little respect there.

Mr. Martel: He was a prolific writer and wrote to a vast number of people, and that's included in the many boxes of documents, requesting favours and that's why the Premier doesn't want to release it?

Hon. Mr. Davis: Mr. Speaker, as far as I know, he may have been a prolific writer and he may have even written to the member for Sudbury East for all I know.

Mr. Martel: I can assure the Premier he didn't write to me.

Hon. Mr. Davis: Well, he may have. I wouldn't know.

Mr. R. F. Nixon: It is too bad he didn't meet his quota.

Hon. Mr. Rhodes: The member for Sudbury East writes to me for favours all the time.

Mr. Breithaupt: But he doesn't get any.

Mr. M. Shulman (High Park): Supplementary.

Mr. Speaker: This will be the final supplementary on that.

Mr. Shulman: Is the Premier satisfied that there is no correspondence back and forth between Mr. Shouldice and any other senior members of the government, or of the Conservative Party, that might indicate wrongdoing?

Hon. Mr. Davis: Mr. Speaker, I certainly haven't seen any.

Mr. Speaker: The member for Scarborough East—I am sorry, Scarborough West.

Mr. Lewis: I have seen nothing either. I have heard only what the Premier has heard, and who knows what the future will disclose.

ELECTION EXPENSES

Mr. Lewis: May I ask a question of the Premier, almost by way of eliciting the ritual response: Since he is tabling—presumably this week or next—a reform bill for election financing, would he at the same time, in order to clear the public air, table the major corporate contributors to the Progressive Conservative Party in the election of 1971?

Hon. Mr. Davis: No, Mr. Speaker. I have no intention either of tabling that or asking the official opposition or the New Democratic Party in the Province of Ontario to table anything.

Mr. Lewis: Why not?

Hon. Mr. Davis: Because I don't intend to.

Mr. Lewis: By way of supplementary, does the Premier not think that, given what is now current, it would be in the interests of financial election reform to make those matters public record?

Some hon. members: No.

Hon. Mr. Davis: Mr. Speaker, I think the legislation itself is the reform that is required. I see no purpose to be served in tabling contributions or lists, even if they

existed, of contributions for 1971, and it was clearly stated in the report that this was not to be retroactive. People contributed on the basis of confidentiality. Whether this was right or wrong, those were the ground rules at the time and I have no intention of asking or tabling—even if it were possible; which I doubt—a list of contributors to the 1971 election; either from us or from anyone else.

Mr. Speaker: Any further questions? The hon. member for Scarborough West.

Mr. Lewis: The Premier doesn't have a list? Who is he kidding?

DOCTORS' FEE SCHEDULE

Mr. Lewis: A question of the Minister of Health, if I may. What is the status of the negotiations between the Ministry of Health and the medical profession, seeking a 14 per cent increase in their fee for service schedule?

Hon. F. S. Miller (Minister of Health): Somebody suggested a five per cent cut.

Interjection by an hon. member.

Hon. Mr. Miller: Mr. Speaker, those are going on right now with the Clawson committee. They are at a delicate stage.

The ministry has been showing the medical representatives of the Clawson committee data indicating the increase in the amount of money paid to physicians this year compared to last year. This shows the total extra flow of money per physician as it relates to the increase granted on May 1. And it has been in a total concept to show that, in fact, when we allowed a 7.75 per cent increase the net per doctor was considerably higher than that.

We are discussing this with the physicians, because it was a 7.75 per cent increase per billing. One has to take the total billings in a given year—the total demand upon the physicians in Ontario. We are using those figures back and forth in an attempt to establish relative positions. As in most negotiations, when they are in their final stages, I think it's just as wise not to comment too much upon them at this stage until we've reached either an agreement or a disagreement.

Mr. Lewis: By way of supplementary: Since the cut that the cabinet is taking will amount to $52,000, but since each one per cent increase to the medical profession amounts to in excess of $5 million, would the minister like to tell us what percentage of the public purse the government has already committed in its negotiations by way of an increase to the medical profession?

Hon. Mr. Miller: Mr. Speaker, none.

Mr. Speaker: Any further questions?

Mr. Lewis: Do I take it, by way of supplementary, that the minister will agree to no increase, then? Is it a hold the line policy?

Hon. Mr. Miller: To date, Mr. Speaker, that is correct.

CATHOLIC CHILDREN'S AID SOCIETY

Mr. Lewis: A question of the Minister of Labour. Can the Minister of Labour intervene in the dispute between the group calling itself FOCAS, representing the social workers and other semi-professional people at the Catholic Children's Aid Society of Metropolitan Toronto, and the society?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I understand that there's a meeting with my ministry on Thursday with officials from my ministry. We have been in close contact with the Federation of Children's Aid Staff. Some of them are out and some of them are there; and we hope to be back together with them on Thursday—that is, my staff will be meeting with them on Thursday.

Mr. Lewis: By way of supplementary: Given the consequences to the service provided by the Catholic Children's Aid Society, has the minister explained to the society that when an organization is certified—as was the case with FOCAS—legally before the Ontario Labour Relations Board, that to provide them with a modified Rand formula is preferable to prompting a strike of this kind?

Hon. Mr. MacBeth: Mr. Speaker, I have not talked personally to them. I think they understand that through members of my staff; but I have not had any direct contact with them.

ROSS SHOULDICE

Mr. Lewis: One last question of the Minister of Consumer and Commercial Relations: Why has it taken so long to bring Ross Shouldice to account here in the Province of Ontario for the matters which are clearly of some grave public import—given his apparent capacity to travel back and forth, move, wheel and deal and, presumably, correspond in the last number of months?

Hon. Mr. Handleman: Mr. Speaker, first of all, it hasn't taken that long. The problem is that Mr. Shouldice—as the hon. member undoubtedly knows—did in fact undergo cardiac surgery at one time.

Mr. Martel: Three years ago.

Hon. Mr. Handleman: Yes, he had some problems. In the meantime, his solicitor has been submitting medical certificates. He was also charged with certain criminal offences, which obviously pre-empted the tribunal from hearing a lesser offence at the same time, or they would not have accepted that.

My predecessor was pressing this case. I am quite prepared to give to the hon. member a chronological summary of what has taken place. I was looking at it this morning and, perhaps somewhat facetiously, said that if it happened to anybody else it might be considered harassment. There has been concerted and continuous action on this. My predecessor insisted on the fact that, notwithstanding the medical certificate, Mr. Shouldice either have the hearing in absentia and a decision be made, or that the tribunal should act immediately without waiting; and that's exactly what has been done.

A date has been set for a hearing. Whether or not Mr. Shouldice appears—he hasn't committed an extraditable offence, as the member for Nickel Belt seemed to indicate in asking why we haven't brought him back—there is no authority to bring him back. We will have the hearing, it will be heard; but the tribunal, in my view, should not be prejudiced at this time in its finding.

Mr. Breithaupt: Why doesn't the minister send the drainage subcommittee up there?

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker.

Mr. Speaker: Order please. A supplementary? Supplementary from the member for Sudbury?

Mr. M. C. Germa (Sudbury): To the Minister of Consumer and Commercial Affairs: What assurance have we that the minister's department is not going to lose the evidence the way the Housing ministry did when Mr. Shouldice—

Mr. Speaker: Order please. The original question had to do with the delay. The member for Windsor-Walkerville.

Mr. Lewis: That's a very good question. Answer the question.

Mr. Bounsall: Right on.

Mr. Speaker: Your supplementary?

Mr. Germa: I didn't hear the Speaker, Mr. Speaker.

Mr. Speaker: The original question had to do with the delay in bringing a certain gentleman back and your question had nothing to do with that. Does the member for Nickel Belt have one?

Hon. Mr. Handleman: Mr. Speaker, if you don't mind I would like to state right now that the evidence is in the hands of the tribunal at this time, and if they lose it it won't be my ministry that loses it.

Mr. Speaker: The member for Nickel Belt.

Mr. Martel: It was the last time.

Mr. Laughren: To the minister: While the minister is perusing his files, would the minister also see if he can determine why it took from April of 1973 to January of 1975 for his ministry to take any kind of interest in responding to my letters of April, 1973?

Mr. Speaker: That question is out of order. It has nothing to do with the original question; it can be a new question.

The member for Windsor-Walkerville with his question.

UNEMPLOYMENT IN AUTO INDUSTRY

Mr. B. Newman: Mr. Speaker, I have a question of the provincial Treasurer. In an attempt to alleviate the large-scale unemployment in the automotive industry, is the provincial Treasurer prepared to either exempt or remit sales tax on the purchase of new vehicles from the various dealers, for a given period of time, so that mass unemployment may be alleviated?

Hon. W. D. McKeough (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, I recognize the concern which my friend the member for Windsor-Walkerville expresses, coming from his particular part of Ontario, which is my own part of Ontario. It is a concern which is shared, and which has been mentioned to me by members from Niagara, from Oshawa (Mr. McIlveen) and the member for Elgin (Mr. McNeil), among others—all have expressed the concern which

we share about the layoffs in the automobile industry.

I can only say at this moment that it is a matter of large concern to the government and to the Treasurer of the province. I am not prepared to make any commitments at the present time. We expect to be meeting with a great variety of people, including the Ontario Federation of Labour, which includes representation from the United Auto Workers, with the Automotive Parts Manufacturers Association and with the Canadian Motor Vehicle Manufacturers Association. Hopefully, out of those meetings we will have a clearer picture of the problems, or the immediate future of that industry, and will be able to govern ourselves accordingly.

I would only point this out; of course we are talking about an industry where wage and salary rates have been high and where I think we can expect, for a reasonable period of time, the payments from the unemployment insurance fund, and elsewhere, to continue for some period of time and at a reasonably high rate. That is not much comfort to men who have been laid off for an indefinite period of time but I would ask members to keep that particular point in perspective. I recognize, I say again, the member's concern and I can only tell him that we are looking at the situation very closely.

Mr. Bounsall: Supplementary, Mr. Speaker?

Mr. Speaker: Yes, a supplementary from the member for Windsor West.

Mr. Bounsall: Yes, a supplementary to the minister as it relates to the employment in the auto industry and employment generally.

In light of the minister's responsibility and position as Minister of Economics and Intergovernmental Affairs, will he now make strong representation to the federal government that they should be insisting on the terms and statements of intention in the Canada-US auto trade pact, so that the production levels in Canada in fact equal the sales, which they fall far short of doing at the moment? Further, when one sees that prices are quite out of line—

Mr. Speaker: Order, please. That is quite far removed—

Mr. Bounsall: —between US and Canadian cars—which, at the moment—

Mr. Speaker: Order, please, that's a good question, but it's far removed from the content of the original question.

The member for High Park.

ONTARIO STUDENT AWARDS PROGRAMME

Mr. Shulman: I have a question of the Minister of Colleges and Universities, Mr. Speaker. Would the minister agree, or is he taking any action in connection with the statement issued last Wednesday by the head of the Ontario Student Awards Programme, a Mr. Donald Bethune, in which he said that the financial assistance programme was nothing more than welfare? I quote him: "Everybody in the goddam field is off their bloody rocker." I presume he included the minister.

Mr. Breithaupt: And if not, why not?

Hon. J. A. C. Auld (Minister of Colleges and Universities): It's an interesting euphemism. To give a short answer, Mr. Speaker: Yes.

Mr. Speaker: The member for Waterloo North.

Mr. Shulman: A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary?

Mr. Shulman: Yes. Will Mr. Bethune be continuing as head of OSAP?

Mr. Laughren: Let's hope not.

Hon. Mr. Auld: That will be decided in the fullness of time, Mr. Speaker.

Mr. Speaker: The member for Waterloo North.

ONTARIO HUMANE SOCIETY ALLEGATIONS

Mr. Good: Thank you, Mr. Speaker; I have a question of the Solicitor General. In view of the serious allegations made against the Ontario Humane Society by two ex-employees —ranging from conversion by theft by selling animals without notifying the owners, misusing the terms of their 1973-1974 lottery and the misuse of public funds—and as the deputy minister has promised to look into the matter further, is the minister prepared to make public the looking into which has gone on in his ministry and could he allay the fears of the public one way or another regarding these allegations?

Hon. Mr. Kerr: Mr. Speaker, the assistant deputy minister has had a meeting with the people making these allegations as well as the director of the Ontario Humane Society.

We understand that one lawsuit is pending as a result of these charges. The members of my staff want an opportunity to not only hear the evidence at the trial but also continue their investigations by interviewing one other person who, allegedly, was part of this seizure. We will, after that, then have a report. I would certainly be happy to give the hon. member the results of that investigation.

Mr. Good: A supplementary: Could the minister inform the House whether his ministry did look into the fact that 50,000 extra lottery tickets were printed over and above what had been authorized by the Ministry of Consumer and Commercial Relations? Is that a violation and is there any substance to that allegation?

Hon. Mr. Kerr: We are looking into that allegation as well. I understand a part of the problem, Mr. Speaker, was the fact that there was a mail strike at the time of the lottery and that the stubs were not turned in on time. This was the reason for the extra printing of tickets. But I will look into that.

Mr. Speaker: The member for Windsor West.

Mr. Breithaupt: A supplementary.

Mr. Speaker: Order. Is this a supplementary?

Mr. Breithaupt: A supplementary, Mr. Speaker, if I may. With respect to the allegations concerning the misuse of public funds, does the minister intend in his report to include a review of the financial operations of the society, so that those concerned and interested in its operation can be assured that the public moneys placed, as well as the other moneys raised, are being used properly and within the terms upon which they were raised?

Hon. Mr. Kerr: Yes, Mr. Speaker. If our investigation by the ministry reveals that there is evidence that public funds have been misused, certainly we would delve further into the operations of the society. But the hon. member must remember that this is an independent agency and we give, I believe, about $50,000 a year towards the enforcement activities and aspects of the society. Certainly we can look into that part of it.

Mr. Speaker: The member for Windsor West.

Mr. Good: One final supplementary, if I may.

Mr. Speaker: One final supplementary then on that.

Mr. Good: Is it correct that the minister has given a commitment to the society to increase the provincial grant from $50,000 to $100,000 for the next year?

Hon. Mr. Kerr: Mr. Speaker, hopefully, in our estimates there may be an increase from $50,000 to $75,000 this year for it.

Mr. Speaker: The hon. member for Windsor West.

UNEMPLOYMENT IN AUTO INDUSTRY

Mr. Bounsall: I have a question of the new Treasurer, Mr. Speaker, whom we congratulate on his return to the portfolio. It relates to his responsibilities as Minister of Economics and Intergovernmental Affairs.

With a view to the employment prospects and situation in the auto industry, will he now make from that position which he holds strong representation to the federal government, with a view to their insisting upon the terms and intentions of the US-Canadian auto pact relating to the dollar value in sales equalling the dollar value of production which it has not nearly reached at this point in Canada and, secondly, to the area relating to consumer costs that the sale price of new vehicles in Canada be equalized to that in the States, there being no justification for that continuing differential?

Mr. Laughren: Don't buy it.

Hon. Mr. McKeough: Mr. Speaker, those are matters which we will take under consideration in the deliberations and discussions which I mentioned previously to my friend from Windsor-Walkerville in response to his question. I simply point out, of course, it should be borne in mind, and I think it's a fair statement, that the automobile industry generally and the parts industry as well are probably in a more serious condition in the United States than here. I think we have to keep that in mind.

Mr. Speaker: The hon. member for Carleton East.

AID TO CARLETON RC SCHOOL BOARD

Mr. P. Taylor (Carleton East): I have a question of the Minister of Education. Could the minister say to what extent, if any, special financial assistance was extended to the Carle-

ton Roman Catholic School Board to enable it to sign a collective agreement with its teachers as it did this past weekend, much to the relief of the community.

Hon. T. L. Wells (Minister of Education): Mr. Speaker, no special assistance was extended to the board during those negotiations.

Mr. P. Taylor: Supplementary: Can the minister say what aspects of the board's current programme have had to be cut back in order to enable it to meet the new salary demands of the teachers?

Hon. Mr. Wells: Of course, Mr. Speaker, I can't say that. These are local matters; the negotiations have gone on between the teachers and the board. I think, as I have said many times in this House and out around this province, there is enough money available under our ceilings policies for just and equitable salary settlements within the local autonomy, which members opposite say school boards should have, and with which I agree, and which they have here. The Carleton Roman Catholic Separate School Board will now have to look at the amount of money they can get from us in grants and what they can tax the people in the Carleton area and decide what their priorities are going to be, knowing what their salary bill is now going to be.

Mr. Speaker: The hon. member for Sudbury East.

CAMBRIAN REAL ESTATE

Mr. Martel: I have a question of the Attorney General, Mr. Speaker. Can the Attorney General indicate why no charges have ever been laid against Cambrian Real Estate, of which Ross Shouldice held a share and in which he also owned the roadway which allowed the checkerboarding?

Hon. Mr. Clement: Mr. Speaker, when I had my former responsibility it came to our attention during the investigation of certain other matters that the office of the Attorney General should become involved. An investigation was conducted into the affairs of Cambrian and Silhouette by the Ontario Provincial Police and Touche Ross and Co., chartered accountants. As a result of those investigations, a Crown attorney in Sudbury came to the conclusion there was no evidence on which to proceed with criminal charges.

Mr. Martel: Does an inter-office memo exist, written by one of the solicitors in the former portfolio which the minister held, which indicates that the hearing in Toronto at which Cambrian was allowed to surrender its licence was deliberately blown?

Hon. Mr. Clement: Blown? I don't know what the member means by that. I am not aware of such a memo. There was some discussion between the hon. member, Mr. Speaker, and myself which raised the question, and I was of the opinion at that time that no error had been made. The member opposite who asked the question did not share that view, but I was of that opinion at that time. There has been nothing further to change it.

Mr. Speaker: The hon. member for Nipissing.

Mr. Martel: Supplementary, Mr. Speaker, if I might: Will the minister table all the documentation in the investigation into Cambrian Real Estate in Sudbury?

Hon. Mr. Clement: No, Mr. Speaker, I will not table documents pertaining to any investigation of any corporation or individual in this province, when the Crown law officers do not recommend that we proceed with charges. I think it would be most inequitable to do so.

Mr. Speaker: The hon. member for Nipissing.

INDIAN REPRESENTATION ON SCHOOL BOARDS

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a question of the Attorney General. When will the Attorney General, as he has indicated he will do, refer to the Supreme Court of Ontario the question of the appointment of an Indian to the Nipissing Roman Catholic school board, and make a ruling on the question of whether or not there are in fact 100 or more Indian students attending that school?

Hon. Mr. Clement: Mr. Speaker, this matter was referred to my ministry approximately some 10 or 12 days ago by the Minister of Education. As the member for Nipissing knows, if a board area has 100 or more Indian students, as of right an Indian representative must be seated. There is some question about the count of Indian children attending that school. The Minister of Education directed a commissioner to inquire into the number of children of Indian ancestry attending the school. As a result of his report, the Minister of Education requested

the board up there to seat the Indian representative and I understand that it refused to do so. Accordingly, I am advised that my law officers have initiated proceedings in the Supreme Court, I believe last Tuesday or Wednesday. I have not had an up-to-date report on it this week.

Mr. R. S. Smith: Supplementary, Mr. Speaker: Would the Attorney General not agree that a simple amendment to the Act to remove subsection 6 of section 162, which sets out the numbers required for mandatory appointment of an Indian to a board, would clear up the whole situation and stop the numbers game that is being played, and in effect make it mandatory that a person be appointed as long as there is a band that enters into an agreement to provide education to Indian students with a board?

Hon. Mr. Clement: I haven't considered it in that light. As the hon. member knows, if there is less than 100 the board has the option or discretion to appoint an Indian representative to the board, but it is not mandatory. I will look into the question. I haven't considered it in that view.

Mr. Speaker: The hon. member for High Park.

ALLEGED LCBO HARASSMENT

Mr. Shulman: A question of the minister of consumer protection, Mr. Speaker: Has the minister looked into the complaints of harassment by the Liquor Licence Board which were sent to him by the Concordia Club in Kitchener? What has been the result of that looking in, if he has done it?

Hon. Mr. Handleman: Mr. Speaker, that particular complaint hasn't come to my attention. I'll look into it immediately and reply to the hon. member.

Mr. Speaker: The hon. member for Huron-Bruce.

INVERHURON PROVINCIAL PARK

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Energy. Since Ontario Hydro is now doing survey work within the confines of Inverhuron Provincial Park, does this mean that Ontario Hydro plans to build within that park?

Hon. Mr. Timbrell: Mr. Speaker, I have a meeting in a couple of days' time with some of my colleagues to discuss the situation as it relates to the park. Once we've concluded our mutual concerns then we will make an announcement on that.

Mr. Gaunt: Supplementary: Does this indicate that the park will continue to be used for recreational purposes—because it is one of the finest parks in the Province of Ontario —or is this an indication that there is a lessening of the vigour and eagerness on the part of the government to maintain that recreational property?

Hon. Mr. Timbrell: Mr. Speaker, as I indicated, we are sitting down to discuss the matter from the various points of view. Once we have concluded our discussions, then we can make an announcement which I think will satisfy the member's concern.

Mr. Gaunt: What is the minister's position? That is all I want to know.

Mr. Laughren: The minister sounds like a Liberal.

Mr. Speaker: Order please.

Hon. Mr. Timbrell: Mr. Speaker, I would rather wait until I have concluded my discussions with my other colleagues. We have our position in the ministry, but I want to see what they have to say so that we come up with a satisfactory solution for the member and his constituents and everybody concerned.

Mr. Breithaupt: Hang all together.

Mr. Speaker: The hon. member for Yorkview.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. F. Young (Yorkview): Mr. Speaker, a question of the Minister of Transportation and Communications: On two occasions prior to the Christmas break, in answer to my questions, the minister indicated that he was giving serious consideration to an investigation of the dump truck industry of Ontario. I wonder if any progress has been made on that, and is, in fact, such an investigation going to be undertaken?

Hon. Mr. Rhodes: Yes, Mr. Speaker, such an investigation will be undertaken.

Mr. Young: Could I ask the minister, as a supplementary, how soon the announcement might be made?

Hon. Mr. Rhodes: At the present time I am attempting to find an appropriate inquiry officer to carry out this inquiry, and I have already been in touch with the interested parties.

Mr. Speaker: The hon. member for Rainy River.

CONSUMER PRICES IN NORTHERN ONTARIO

Mr. Reid: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations because it comes under his responsibility, I am informed by the Minister of Natural Resources (Mr. Bernier).

Will the minister give instructions for a survey to be conducted in northern Ontario on prices relating to food, clothing, gasoline and heating oil, such a survey to be done perhaps by the northern affairs officers of the Ministry of Natural Resources?

Hon. Mr. Handleman: Mr. Speaker, I'd like to take that question as notice, look into it and report back to the hon. member.

Mr. Speaker: The member for High Park.

PHYSIOTHERAPISTS' FEES

Mr. Shulman: A question of the Minister of Health, Mr. Speaker. Has the minister yet had an opportunity to review the four years of reviewing that he and his various predecessors have promised the physiotherapists with regard to allowing new physiotherapists to open up private practices? Is the minister aware that no physiotherapist may open up a private practice in this province?

Hon. Mr. Miller: Mr. Speaker, I am quite aware that permission hasn't been granted for fee-for-service physiotherapists. At the same time, it is a service that has been expanded very greatly, as the hon. member knows, through the hospital system in Ontario. At this point in time it is the thinking of the ministry that is probably the most suitable location. We are expanding physiotherapy services in other areas, such as nursing homes, but we are looking very hard at the fee-for-service mechanism as it applies to other than the physicians.

I am sure the member is aware that there are a great number of people attacking the physicians' fee-for-service mechanism. So, rather than expand any other one at this point in time, when we are looking at the whole method of payment, I think we are quite proper to continue to expand the service itself through the recognized institutions in the province.

Mr. Shulman: Supplementary, Mr. Speaker: Can the minister explain why every other branch of medicine has been given a raise and yet the physiotherapists have not had a penny raise in nine years?

Hon. Mr. Miller: The hon. member is quite mistaken, Mr. Speaker. The physiotherapists got a raise of almost 30 per cent this year, since I became minister.

Mr. Shulman: No, they didn't.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. Shulman: Supplementary, Mr. Speaker, if I may.

Mr. Speaker: One more supplementary.

Mr. Shulman: Is the minister suggesting that they received a 30 per cent raise for the work they do in their offices? Is he not mistaken? Is he not referring to the raise they received for house calls, which they rarely make?

Hon. Mr. Miller: Mr. Speaker, I believe the current fee for service is $4.25. Is that right? Is it?

Mr. Shulman: I don't know.

Hon. Mr. Miller: He doesn't know? He is asking a question and he doesn't know?

Mr. Shulman: He is the minister.

Mr. MacDonald: He is the minister.

Hon. Mr. Miller: All right. He is the one who was asking.

Mr. Lewis: The knife cuts both ways.

Hon. Mr. Grossman: Doesn't the member know what's up, doc?

Hon. Mr. Miller: I was just looking, waiting for him to nod his head and say, for the first time ever, that he agreed with me.

Mr. Breithaupt: He does. He doesn't know either.

Hon. Mr. Miller: The fact is it was somewhere in the range of $3.25 to $3.50 over that long period of time and it was increased to $4.25.

Mr. Shulman: When was it increased?

An hon. member: This year.

Mr. Speaker: The member for Windsor-Walkerville.

STATUS OF WINDSOR PROJECTS

Mr. B. Newman: Mr. Speaker, a question of the Minister of Government Services. Would the minister inform the House of the status of the provincial public building in the city of Windsor and the addition to the county courts building?

Mr. R. F. Nixon: He doesn't know.

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, the plans have been drawn for the new Ontario government building—I think the working drawings are now, completed—but no decision has been made as to proceeding with the job; that depends upon the estimates of my ministry which are not yet finalized.

With regard to the courthouse, an architect has been appointed and two or three different alternative types of additions to the courthouse are being studied at this time, but no firm decision has been made as to just what the addition will be.

Mr. Speaker: The member for Yorkview.

AWARDS FOR CHIROPRACTIC STUDENTS

Mr. Young: Mr. Speaker, a question of the Minister of Colleges and Universities: The minister has been receiving representations from chiropractic students in Ontario that they be qualified for student awards. Is any action being taken in this regard?

Hon. Mr. Auld: Mr. Speaker, the students who attend next year, in 1975-1976, will be qualified for the whole OSA programme. We are currently looking into whether 1974-1975 students who would not have been eligible for awards, had chiropractic students been included in the OSA programme last fall, but whose circumstances had changed so that they might now be eligible, might be considered. I hope that wasn't too involved, if, in fact, it was a sentence. As far as the 1974-1975 students are concerned, I am looking into a couple of cases myself in that connection.

Mr. Breithaupt: Supplementary, Mr. Speaker. Can the minister advise—

Mr. Speaker: The question period expired a minute ago. We will allow one supplementary.

Mr. Breithaupt: This completes the question: Can the minister advise the reasoning as to why these students had not been included heretofore in being available for this programme?

Hon. Mr. Auld: No, I can't, Mr. Speaker. I suppose it was one of those cases there and one of the fringe groups, some of which are presently included and some comparable ones are not yet included. We just decided that now is the time to include chiropractors.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Rhodes: Mr. Speaker, I would like at this time to table the documents and the file as it relates to the acquisition of property from Fantum Holdings Ltd., as it relates to questions asked earlier in the House.

Hon. Mr. Auld presented the financial report of the Ontario College of Art for the year ended May 31, 1974.

Hon. Mr. Kerr: Mr. Speaker, I wish at this time to table the report of His Honour, Judge Pringle, who was appointed a commissioner to investigate the conduct of police forces at Fort Erie on May 11, 1974.

Mr. Speaker: Motions.

Introduction of bills.

LEGISLATIVE ASSEMBLY ACT

Mr. R. F. Nixon moves first reading of bill intituled, An Act to amend the Legislative Assembly Act.

Motion agreed to; first reading of the bill.

Mr. R. F. Nixon: Mr. Speaker, this bill removes the rights of members of the assembly to receive extra remuneration by reason of being appointed to various boards and commissions.

EXECUTIVE COUNCIL ACT

Mr. R. F. Nixon moves first reading of bill intituled, An Act to amend the Executive Council Act.

Motion agreed to; first reading of the bill.

Mr. R. F. Nixon: Mr. Speaker, this bill implements the stated policy of the government to reduce the salaries of minister by five per cent and, together with an amendment in the previous bill I introduced, would reduce the salary of the Leader of the Opposition by the same amount.

Mr. Singer: If the government is prepared to proceed, does the House leader want to second that? Stand up and support it.

Mr. Speaker: The member for Nipissing.

EDUCATION ACT

Mr. R. S. Smith moves first reading of bill intituled, An Act to amend the Education Act, 1974.

Motion agreed to; first reading of the bill.

Mr. R. S. Smith: Mr. Speaker the purpose of the bill is to remove the discretionary appointment of the representative of the Indian pupils to the board when the number of Indian pupils falls below a certain amount. I would ask the minister to accept this amendment and to recall his request to the Attorney General for an appeal to the Supreme Court, and also, after amending the bill, to send a copy of the legislation to the Nipissing District Separate School Board, to give it an opportunity to accept what would be proper legislation and to accept the Indian appointment to the board.

HIGHWAY TRAFFIC ACT

Mr. Foulds moves first reading of bill intituled An Act to amend the Highway Traffic Act.

Motion agreed to: first reading of the bill.

Mr. Foulds: Mr. Speaker, this bill would permit the use of studded tires on automobiles in northern Ontario.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker. before the orders of the day let me say I hope to call Bill 181—I am about to call the 11th order, Mr. Speaker—but I would like also to inform the House that following that we will discuss the two resolutions regarding the electoral boundaries commission—the first one in the name of the opposition, and the second one signed by government members. Before the afternoon is over, I will present the members of the opposition with a list of the legislation we will deal with before we conclude this session.

Mr. Lewis: Mr. Speaker, a question? Will we discuss those resolutions on the redistribution jointly?

Hon. Mr. Winkler: I would think not, because there are two different principles involved. I will discuss it with my colleagues. In the meantime, your motion will be called first.

Mr. Lewis: I suspect that we might be flexible enough to embrace both. Of course, we don't have a vote, do we?

Hon. Mr. Winkler: No, I think the discussion is over.

Mr. Speaker: Orders of the day.

NORTH PICKERING DEVELOPMENT CORP. ACT

Hon. Mr. Irvine moves second reading of Bill 181, An Act to establish the North Pickering Development Corp.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, I will gladly yield to the minister if he wants to give us an introductory statement and follow him.

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I made an introductory statement at the initial first reading. If the hon. member wishes to carry on I think it would be much more applicable.

Mr. Singer: All right. In the spirit of cooperation, as always, Mr. Speaker, I must advise you, sir, that after very careful consideration we cannot see our way clear to support this bill.

This bill establishes yet another government agency which is, by its nature, going to have to be out of touch with the people it is going to affect. There has been a great deal of concern expressed by the local councillors to the minister, to the Premier (Mr. Davis) and to others. It was only after great public complaining that a meeting finally took place

with the Premier late in November of last year.

The local councillors were very unhappy about the proposed input they were going to have. The more we see, Mr. Speaker, of the way government operates, the more concerned we have to be about the remoteness of these important decisions and the continuing removal of the decision-making process from the hands of the elected people.

What is the government's answer? The government's answer nearly always is: "Let us set up another corporation, and let us stock it with people we are going to choose, and let us choose people who are going to do us no real harm. Then the decisions that are going to affect perhaps thousands of Ontario citizens as to where they're going to live, how they're going to live, what kind of water and road and sewer services they're going to have, are going to be made by and large without consultation, beyond consultation with the local people, and this is going to be the way we are going to plan the Province of Ontario."

Unfortunately, Mr. Speaker, it has been proved time and time again that this doesn't work. My colleagues and I over a period of several months have been saying, and when we get back to things like the budget debate and other opportunities we are going to continue our comments in relation to Ontario Housing Corp., that we believe responsibility should remain with the elected persons who sit in the Legislature; as do the various municipally-elected officials who are in this area, the mayor of Oshawa, the mayor of Whitby and all of these other people who came to the meetings. The minister mollified them to some extent, some of them; but many of them continued their concern and their objection about what was going to be their input into the planning.

What happens, unfortunately Mr. Speaker, is that we get great plans. They sound much better when a minister introduces a bill or a minister reads a speech. I don't know if the minister happened to glance at Saturday's paper where a correspondent, one of the members of the press gallery from the Star, tried to put together, and he had great trouble, a series of announcements from a variety of ministers of housing in which there were promises for building housing. And one reads that, six or eight times, as I had to do, to get the kind of planning this government is doing.

Hon. Mr. Irvine: Ask me a question on that tomorrow.

Mr. Singer: I will be glad to ask the minister, I will be glad to get some further debate on housing; because, where is the housing?

Mrs. M. Campbell (St. George): Nowhere!

Mr. Singer: Nowhere!

Well, all right, this is the kind of thing that bothers us, Mr. Speaker; a succession of ministers of housing keeps on making a succession of speeches, which by and large are weighed by the number of lines of press they get not by the number of houses that are put on the ground. That's unfortunate and the people of Ontario suffer as a result.

This North Pickering Development Corp. is an acknowledgement, I guess, of the abandonment of the Toronto-centred region plan. All of these great ideas about containing development, whether we agree with them or not, all of these seem to have gone by the board. There is a great trunk sewer, the east Markham trunk sewer that is going to be built. Where goes Robarts' Toronto-centred region plan? It is gone.

What is going to be done in North Pickering? Well, there is a local representative whose voice should be heard here in the Legislature.

Mr. J. R. Breithaupt (Kitchener): I am sure he meant it to be.

Mr. Singer: Yes, he may now have to be speaking through the mouths of some of the directors. I am sure that as long as this government stays in power he might be asked about who should be the directors, but we believe—oh he won't even be consulted; I find that hard to believe.

Mr. Breithaupt: He knows how the government operates.

Mr. Singer: I would far prefer having the hon. member from Pickering—

Hon. W. Newman (Minister of the Environment): Someone out in that area.

Mr. Singer: —yes, from out there—coming into the Legislature and saying: "We have decided today the streets should run up and down instead of backwards and forwards," so that we could ask him about that. I would much sooner do that than have to talk to, or attempt to talk to, some appointed person whom this hon. member or the Minister of Housing thinks is appropriate.

I would think the mayor of Oshawa and the mayor of Pickering and the mayor of Whitby all would like to make the same kind

of inquiries from the people on the ground. They are concerned about the location of industrial development. Is it all going to go into North Pickering? Is a share going to go into Oshawa? Should it go into Whitby? That kind of thing.

Whom do they talk to about it; and how do they get to the elected people with responsibility? Mr. Speaker, this kind of concern is expressed by us, frequently. The government pays very little attention to our concern and continues to appoint, by new statutes, more and more commissions, organizations, corporations and groups, which more and more remove from public responsibility, from the decision-making process of the elected people, the ability to plan their communities.

For those reasons—and my colleagues the hon. member for St. George and the hon. member for Kitchener are going to expand on this at substantial length—we are going to oppose this bill. We think it is wrong. We think it is wrong in principle; we think there has to be written into the bill a far better method for local control, for elected-official control, elected-person control, by both the members of the Legislature and local members of council, and it isn't there.

We think it is wrong that there should be a constant change of planning; when the government has a Toronto-centred region plan, it at least should give it the decency of a good burial if it is going to abandon it. Mr. Robarts, a one-time Premier of the province, set a great deal of store by that plan and he stood up and said: "No question, we Tories are four-square behind planning. We have the Toronto-centred region plan and that's going to mean a great deal to that portion of the Province of Ontario which has not yet developed." Then, without even the ceremony of a decent execution, it's gone.

Hon. W. Newman: It has not gone.

Mr. Singer: Sure, it's gone.

Hon. W. Newman: All the mayors of those municipalities out there will find what the member is saying now will make very good reading.

Mr. Singer: Oh, I see. All right. Does the minister want me to read him what the mayor of Oshawa said, or the mayor of Pickering? They're all here; they're all in these clippings. They're all here. They were not very happy that they weren't called into consultation until almost the 11th hour. They're not happy that there isn't a continuing consultation process to this. They're not happy; no. The mayor of Oshawa was awfully concerned about what's going to happen to industrial assessment. Will the minister tell me how he will satisfy the mayor in this bill; or is it because he is going to appoint good people he knows will take care of the mayor of Oshawa and his concern? It that the minister's thinking? Mr. Speaker, it's that kind of reasoning that we object to and it's for those reasons we're going to oppose this bill.

Mr. Speaker: The member for Riverdale.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I am fascinated with the Landmark report, but I will turn now to deal with the bill which the Minister of Housing has before the assembly, an Act to establish the North Pickering Development Corp.

Mr. Speaker, there are two or three ways in which this particular bill must be viewed by the assembly in considering whether it should be passed or not. In one sense it is the bare-bones structure of a corporation to be created for the purpose of developing a plan for the North Pickering area and has been foreshadowed in the debate which took place earlier in this session in respect of the Ontario Land Corpn., which was a bill introduced under the aegis of the former Treasurer of the province, the member for London South (Mr. White). That aspect of the bill deserves attention and I certainly will speak about it in those terms.

The second aspect of the bill, which I think is by far the most important aspect, is not the bare-bones structure of the corporation, which may well form the model of other special project corporations to be spun off in the activities of the Ontario Land Corpn., but whether or not the government has any intention and any deep commitment to the use of this particular corporation for the purpose of carrying out the rescue operation on the disastrous efforts made by the government in the North Pickering area to establish a new town.

That has a long history of debate and discussion and question and answer in the assembly and it is that particular aspect of this particular bill to which this party gives consideration. We are very much concerned that the government has no real intention to use this corporation as a vehicle for repairing the damage which has been done to the citizens of the province in the North Pickering area with respect to this particular development and, of course, its relation to

the larger development of the international airport in that area.

The government has always taken the position that although this North Pickering development was part and parcel of the overall planning for the international airport, nevertheless, regardless of whether or not the airport went ahead it was going to pursue its plan to establish a satellite town immediately to the northeast of the Metropolitan Toronto area.

Of course, it relates to the multitude of planning documents and discussions which have taken place in the assembly touching upon the affairs, not just of the Ministry of Housing, but of many other ministries—particularly the Ministry of the Environment, the Ministry of Agriculture and Food, and Ministry of Transportation and Communications, to name only those that immediately come to my mind as being intimately affected with what is going to take place in the North Pickering area.

I emphasize to the minister that our concern on this particular bill for this party is the use which the minister will make of the corporation to repair the damage and rescue the concept which was originally put forward for consideration by this assembly at the time when the government embarked upon the now long-since-disabused concept of an international airport in that area.

Let me turn, first of all, to the very first aspect of the comments that I want to make and deal with the corporation simply as a spinoff, if I may use that term, from the Ontario Land Corp. as a result of the stepped-down concept of the use of the Ontario Land Corp. which we debated earlier in this session.

The minister may very well recall—and I would like his confirmation—not only the remarks of the Treasurer when he spoke in the House, but the rather more laconic and succinct remarks made in an address given on behalf of the Treasurer by the Chairman of the Management Board (Mr. Winkler), to which I referred when we debated the Ontario Land Corp., being an address which he gave on the Ontario Land Corp., its concepts and the way it would function to the property forum on Nov. 19, 1974.

The Chairman of the Management Board announced publicly, really for the first time, after consultation with the investment community, having learned the lessons that the investment community always imposes upon a ministry of this government, that the Ontario Land Corp. would be a faint shadow of that envisaged in the original remarks by the Treasurer in his budget last April. Having delineated the way in which the concept of the Ontario Land Corp. would function, he goes on to deal with these projected project corporations, of which this is the first one to come before the assembly, and states:

> As I have indicated, the Ontario Land Corp. will raise money and assemble land but it will not develop the land. Instead it will in each case turn the land over to a special project corporation which will operate under the jurisdiction of one provincial ministry or another.
>
> For instance, land for the residential portion of a new town would likely be turned over to a special project corporation reporting to the Ministry of Housing. Land for a new industrial park would be turned over to a special project corporation reporting to the Ministry of Industry and Tourism. Having served as a source of funds for a project corporation and having assembled land and turned it over to that corporation, the Ontario Land Corp. will recover its money as the project corporation develops the land and sells off or leases it wholly.

So in a very real sense, if I may interpolate, as I understand it—and I want confirmation from the minister about this—the North Pickering Development Corp. for practical purposes will merely be a conduit through which land taken from citizens of the province, on the one hand, by the government of the Province of Ontario, will pass through the Ontario Land Corp. into the North Pickering Development Corp. and back into the hands of citizens of the Province of Ontario.

It seems a very long and lengthy and cumbersome method to accomplish a purpose of government. The legitimacy of the objective of the government must be matched by the legitimacy of the procedures that are followed by the government, in carrying out that transition through the government of land previously owned by citizens of the province and ultimately, as I understand, to be again owned by citizens of the province.

In a sense, and perhaps if one could use a term or borrow a term, it's almost as if the government were laundering the land that it is taking from the citizens of Ontario and passing it through this Ontario landbank to come out the other end in a neat little development which is going to be the preserve of the bureaucracy in the development of the plan. It must of necessity be so because the

bill envisages a corporation tied totally to the ministry.

If I may go back to what the Chairman of the Management Board stated:

> At an early stage in any new venture, the project corporation will be anxious to involve companies and individuals from the private sector as developers, owners and tenants. Where appropriate, the project corporation will also encourage other government corporations and agencies to play their special roles. In a new town, for instance, the special project corporation might encourage the Ontario Housing Corp. to develop some low-rental housing.

I'm delighted to see that even in a document such as this the Chairman of the Management Board is very careful to say "might" develop some low-rental housing, but that is most unlikely if the record of this minister and his predecessors in this ministry is any criterion by which we could pass such a judgement.

Then the Chairman of the Management Board went on:

> The special project corporations will also be required to maintain close contact with all government ministries whose interests are affected by the corporations' activities. It is obvious, for instance, that the development of a new town or an industrial park will have implications for such ministries as Environment, Transportation and Communications, and Agriculture, among others, and all such ministries will be asked not only to co-operate with the project corporation but to contribute their suggestions and know-how to the project at hand and to supply whatever services the project needs.

What a hydra-headed monster the government has created in trying to develop the new Pickering townsite. It is just inconceivable that through this maze of various interested bodies, the government in fact is going to be able to use this new corporation as a vehicle to accomplish what may very well have been a legitimate object of policy.

Mr. D. C. MacDonald (York South): And they accuse socialists of creating bureaucracy.

Mr. Renwick: We must remember, of course, that this is the first one of many within what appears to be the policy of the government to develop new townsites, but to develop them always as satellites to the existing communities because it has no real conception of how to carry out regional development on a broadly based scale which will give individual vitality to any of the new towns.

We will watch with interest, because we don't think for one single moment—barring, as may be the case, a change of government—that this particular project will be finished and out of public view and in use for the people of the Province of Ontario for many years, and I emphasize the word "many." I would anticipate that five years from now there will be little, if any, evidence of the existence of the end result of the plan, and that there will be few, if any, people in the Province of Ontario who will be living on that site at that time.

If I may go on again:

> In any case, all three forms of government action through the Ontario Land Corp., through the project corporations or through the existing special agencies such as the Ontario Housing Corp., will be undertaken in co-operation with the private sector.

I take it that the Chairman of the Management Board, as always, was referring to the private sector in relationship to the business interest, not in relationship to the involvement of people in public participation in the planning and development of the overall plan for the North Pickering area.

Then the chairman went on:

> I would like to point out that it will be part of the government's operating policy to ensure that any lands acquired for development of either a new town or an industrial park will not be allowed to lie fallow while plans and arrangements are being made. As a regular routine procedure, agricultural lands acquired by the Ontario Land Corp. will be kept in production through whatever rental or leasing arrangement seems most appropriate. Similarly, woodlots acquired by the Ontario Land Corp. will be worked through similar arrangements.

I'm not going to relate those portions of the Chairman of the Management Board's remarks relating specifically to the Ontario Land Corp. He does go on to say:

> It is quite likely that the Ontario Land Corp.'s first ventures will be to provide continuing financial support and land to special project corporations that will be established to develop the existing new town projects in North Pickering and near Nanticoke in Haldimand-Norfolk.
>
> Organizationally [I continue the quotation] the Ontario Land Corp. will be closely tied to the special project corporations it finances by having at least one of

its directors sit on the board of each project corporation.

In any event, that appears to be the way in which the government envisages the role to be played by this corporation, the skeleton of which is set out in Bill 181, which is before us this afternoon.

When the minister speaks in reply, I would like him to state whether or not that is as clear or as concise a statement as can be made of the role to be fulfilled by this particular corporation, being, as I have said, the forerunner of probably a number of other such corporations in the future, although not necessarily or exclusively being introduced under the aegis of this particular minister.

When one turns to the form of the corporation, I am interested in knowing whether or not it is the intention of the minister to refer this bill to the standing committee on the administration of justice so that it can be considered at the same time as consideration is given in that committee to the Ontario Land Corp. A number of people asked for a deferment of the consideration by that committee of the Ontario Land Corp. Act before the Christmas recess, and it will reconvene some time this month, presumably to deal with that bill.

I would assume, as this corporation is a part and parcel of the overall planning of the government with respect to the use to be made of the Ontario Land Corp. and its project corporations, that it would make very good sense that this, the first bill, would go before that standing committee as well. There are a number of matters in this bill which have correlative provisions in the Ontario Land Corp. bill and they could certainly be dealt with, conveniently and expeditiously, clause by clause in that one committee rather than take up the time of the House itself in committee of the whole House to repeat, perhaps at length, the same criticisms which will come forth when the Ontario Land Corp. Act is before that standing committee.

Having said that, and hoping that the minister would agree that that would be a sensible way in which this Act could be proceeded with, I'd like to dwell for a moment or two on the purpose of this corporation. The purpose of this corporation, as I understand it, is hidden away toward the end of the bill, so it is somewhat difficult to find. But in clause 18, the purpose of the corporation, the objects of the corporation or, as the marginal note states, the "duties of the corporation," are as follows: "The corporation shall prepare the plan for development and develop"—and I emphasize the word "develop"—"the North Pickering planning area in accordance with the plan."

Now, I have never known any corporation in my lifetime that has been available for public participation in the course of its deliberations in any meaningful way. I take it that what this corporation is going to do, and the thrust, as I take it, of the member for Downsview's remarks when he stated that that party would oppose the bill, is that planning and development are roles to be performed by government under the Planning Act and not to be spun off to this kind of a corporation. Although there are controls by the minister written into the bill over what the corporation does, for practical purposes if all goes well, as the minister see it, and he doesn't need to use the safeguard or backstop provisions which give him an overriding authority through the Lieutenant Governor in Council to require the corporation to comply with the directions of government about what they are doing in the corporation, apart from that background and safeguard provisions, the minister's only responsibility—not only responsibility because his title of minister is generously scattered throughout the bill for recommendation purposes and approval purposes—but basically his major responsibility appears to be to designate the area which will be called the North Pickering planning area.

I would like to know, and I think that the House is entitled to know during the debate on this bill, the actual bounds and limits of the North Pickering planning area; because that must be designated by the minister. It is on that area as so designated by the minister which will be the focus of the activities of the corporation as it proceeds to develop the plan and to develop the area itself in accordance with the plan.

I would also like to know that within the lands which the minister envisages will be encompassed within the North Pickering planning area, how much of that land is presently owned by the government, how much of it is not going to be owned by the government, and what are the various stages of acquisition which have taken place for the other lands in the area so to be developed under this plan?

To what extent are there outstanding at the present time significant disputes, either before the board of referees or before the Land Compensation Board as to the settlement of the prices to be paid? To what extent are there negotiations taking place to acquire land other than under the Expropriations Act

and what portion, if any of it, has been acquired through the expropriation procedures open to the government?

I think we must, for once and for all, have during the course of this debate the exact particulars of the status of the lands within that area. We must know how the development is going to take place, because earlier or later on in the bill, of course—I am not quite certain whether it's earlier or later—there is provision for the Ontario Land Corp. presumably at the point in time after it has acquired the lands, to turn that land over to the North Pickering Development Project Corp. If that is so, what are the plans? What are the details of it? Surely we are not going to be told by the minister that we are debating a bill where those matters are not yet settled, where those matters are not yet determined, because they are part and parcel of any ongoing planning for that North Pickering area.

Throughout the bill there are a number of matters that we would deal with in committee, either here or outside. I want to mention them to the minister because we are not satisfied with them. We are not satisfied with the conflict-of-interest provisions. We are not satisfied with the implication that members of this assembly may sit on the board of directors of such a corporation. We are certainly far from satisfied with the overlapping of the public service and the private sector in these particular corporations and we will so move to provide that this kind of a board will be a representative board, but will not be a mixture of members of the public service as well as members of the private sector.

There are other specific matters which we can deal with in the committee, and I am not going to deal with those points at this particular time because they lend themselves much more adequately for debate in committee. But the point that I want to deal with is the major aspect of the bill which constrains us, subject to what the minister says, or subject of course to whatever persuasion I can exert upon myself that will perhaps lead me to say that we will oppose the bill, or to what my colleagues may say during the course of the debate which may impel us to oppose the bill regardless of what the minister says. What we are saying to the minister is, what use, in a living, ongoing way, is he going to make of this corporation to repair the ravages of the past and the damage which he has caused to the people in that area?

I want to speak somewhat about the very caustic remarks written in very polite language which appear in the report which deals with the proposals to change the Expropriations Act in order to provide a method by which some of the evils and wrongs done by the government in that area, with respect to its procedures in that area, can be rectified in the future. I refer of course to the report on the Expropriations Act, which is dated October, 1974, and was tabled in this House, if my memory serves me correctly, in December of last year. It was prepared by Mr. R. B. Robinson, QC, for the Ministry of the Attorney General, and has a very substantial section dealing with massive expropriations.

There are some points in his report bearing directly upon what happened in the North Pickering area. It seems to me that if this bill which is now before us is going to enable the government in some way to overcome those wrongs and to right those wrongs and to provide for adequate public participation, perhaps we can support the bill. If the minister can't give us those assurances—I'm rather sceptical to think that he can—then we would perforce have to vote against the bill.

We must remember that this report would never have been prepared had it not been for the fiasco of the North Pickering development. There is no question whatsoever that it would not have been necessary. One of the strange things is that the major point which he makes was obvious to everybody but the government, and that is, that you don't use an Expropriations Act, designed for the purpose of acquiring specific particular pieces of land for specific particular purposes, for the purposes of massive expropriation, and you don't use a method of acquiring land by breaking down the area, by moving in and acquiring land through the private market in a haphazard manner, in such a way as to unsettle the whole community.

It proceeds by way of saying that the fair and equitable way is to proceed by way of expropriation if you are going to expropriate massively, and not to get involved in private negotiation which plays off one owner against another owner, unsettles well-established communities, causes immense concern and disruption in the life of those communities, and requires citizens to devote an inordinate amount of their time to making representations, to making their views felt, to bringing pressure to bear upon the government, to holding public meetings and trying to get,

in this day and age, some forum where their voice can be heard in what they are about.

Mr. Robinson goes on to say:

> The procedures contained in the Expropriations Act are intricate and complex; the courts heavily penalize any procedural error. A massive and smooth-running organization must be set up and maintained in operation for several months or even years [in connection with the expropriations for massive projects such as new town sites]. It includes a staff of land agents operating in the field in continual contact with the private owners who are losing their land. The agents feel the owners are antagonistic and unco-operative while the owners feel the agents are inept and insensitive; a problem of public relations arises.
>
> A massive public project raises community and environmental concerns and the present inquiry procedure is not geared to examine them. This report cannot deal with the organizational problem. The necessary experience exists within the Ministry of Government Services, the Ministry of Transportation and Communications, Ontario Hydro and the North Pickering project of the Ministry of Housing; this experience has shown that with sufficient advance planning, the procedures in the Expropriations Act will work successfully. As to the problem of public relations, a submission received from an owner in North Pickering expresses the viewpoint of "the victim" in making these comments:

I won't itemize them—there are 13 items that are involved in it—but one of the essential parts is to have a detailed plan of the scheme which is going to be put forth for the area which is under consideration for massive acquisition by government, whether by expropriation or negotiated purchase.

He goes on to state: "These are valid points worthy of consideration." He deals at some length with that particular aspect of it and then comes onto the vexed question of public involvement:

> The pressures for public involvement in political decisions were not the same in 1968 as they are in 1974, and the changing attitudes will no doubt have to be reflected in the planning of massive projects requiring the exercise of the expropriating power.

Well as I say, if this is to be a rescue operation, it is not a question of whether you did proceed by way of expropriation or whether you did proceed by way of attempted negotiated purchase of large tracts of land in small parcels from individual owners, but I emphasize "the changing attitudes will no doubt have to be reflected in the planning of massive projects." Mr. Robinson goes on:

> The desire for group participation in the planning process, now very strong, relates to community and environmental concerns, such adjectives being broadly interpreted to include social, economic and cultural conditions.

He goes on to refer to the green paper on environmental assessment and quotes the first sentence in that paper, which was published in 1973:

> In recent years, massive new projects such as nuclear power plants, freeways, new towns and international airports have drawn the attention of the public to the need for increased consideration of environmental matters.

And I emphasize the broad scope of that phase "social, economic and cultural conditions" of the area.

There are many further apt quotations from Mr. Robinson's report. I simply say that the conclusion which he arrives at is that there must be public involvement on a broadly based scale in the development of the plan which is going to be implemented for the development of the particular area under consideration.

That's exactly, I think, what our concern is. There is in the bill nothing which I can see which would indicate clearly any intention by the government to involve the public—the public in the sense of the people intimately concerned with the North Pickering development area because of the land which they used to own, or people who may own lands in the future in that area—to involve them in the development of the plan, or indeed in its implementation.

That, Mr. Speaker, is the major thrust of the second aspect of the comments I wanted to make in opening on behalf of this party: The absolutely essential requirement for public involvement in the preparation of that plan for development, and the vacuum which exists in the bill about any intention to so involve the public; and any suggestion that the corporate form is the method by which you provide for that kind of public involvement in any real sense of having an input to and an impact upon the ultimate result, which will be the fashioning of the plan in all of its aspects for that area.

The third aspect—and I said there were two and possibly three aspects of it that I

want to deal with—is the developmental aspect. Assuming there is a plan, how does the minister see the corporation carrying through the development of the planning area after the plan has been developed? After the corporation owns the land, even though it may be in debt to the Ontario Land Corp. for it, how does the government see the implementation of that plan taking place? How is it going to be developed?

What is the relationship of this corporation going to be to the big developers? What is the relationship of this corporation going to be to the provision of the services which are required? What is the relationship going to be about the provision of the educational facilities needed for the area?

What is the cost going to be for the implementation of this scheme? Is the cost going to be borne by the Province of Ontario in the initial instance until such time far in the future when it may possibly be recovered at the time of the disposal of the sites or at the time of the various developmental contracts which take place? Is it going to be a centralized development in the way that, should inflation continue, the government of the Province of Ontario is going to be expending relatively better dollars and recovering relatively poorer dollars for the project? Is there any method by which the development of the project over a period of time in all its phases will be so done that no one will profit from the operation? Who will profit from the operation?

I notice that the Ontario Land Corp. is beautifully designated as a corporation without share capital; presumably it's to be a non-profit corporation. Is it going to adopt the policy of contracting out to various people who have the skills to do the development work in a manner which will permit them to make a substantial profit on the transaction for the development of the new town site; or is it possible that the minister and his ministry through this corporation can, in fact, with the funds at its disposal so economically develop this townsite that people will say that it has been done on a fair and equitable basis and the result merits what is going to be done?

I think we perhaps are prepared to give a minor opportunity to the government to recover. Certainly the way in which they started in on this project showed that they hadn't the faintest conception of how to go about it. I am a little bit concerned because, of course, the scheme of the Ontario Land Corp. had some merit as originally proposed by the Treasurer but it really wasn't ever allowed to be thought out in public debate or in public forum, because he went down to Bay St. and then came back with this solution to the problem. If there's one thing that Bay St. doesn't like it is to have too much authority concentrated in the land of the Province of Ontario in the government, even though the land is such an integral part of the wealth of the people of the province.

We've got this funny kind of scheme which is going on and we've got so many people involved in it; yet this little simplistic bill which has come before us appears to have little, if any, actual thought given to it about the purposes that are to be accomplished and copies, with minor variations, sections which have appeared in other bills. We want some indication from the government that this corporation is the vehicle, sparse as it may be, which will be used for the purpose of a creative experiment in the development of townsite planning in the province, if that's the road that the government intends to follow.

I'm not quite certain that a Ministry of Housing can have the authority to deal with this type of proposition and actually be able to say at the end that they have created a new town. They may have created a satellite bedroom adjunct to Metropolitan Toronto, but whether they will have created a vital new town under the aegis of the Ministry of Housing through this corporation remains to be seen.

I would think that we need to have a great deal of information, a great deal of financial information and a great deal of the background and knowledge which must exist somewhere in the government, considering the length of time they've talked about planning and development and considering the length of time, relatively speaking, that the North Pickering project has been agitating the surface of public opinion in the southern part of Ontario.

Surely the minister has got to give us some sense of a conceptual, creative way in which he is looking at this particular venture and not expect us to say simply that we will approve the bill because this is the skeleton and he, the minister, will build it into something great and beautiful at some date in the future when he can compound again the various mistakes which have been made. We want a clear indication from the minister that the mistakes of the past, although in some senses irreparable, are not going to be repeated or multiplied or new mistakes made in the future with respect to the North Pickering Development Corp.

There, Mr. Speaker, I've almost talked myself into opposing the bill now. But I'll give the minister the opportunity perhaps to dissuade me otherwise.

Mr. Speaker: The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Thank you, Mr. Speaker, I rise in support of this bill. It interested me that the official opposition is just that, in opposition, to a concept of the landbanking and development and provision of housing for the people of this province. I had understood that it was concerned about the housing shortage and that something should be done at this level of government to ensure that there was land on the market that could be serviced and subdivided and put into the hands of the people for housing and, of course, in this case for other things. The member for Riverdale apparently has gone along with that concept because he all but concludes in opposition to the whole substance of this particular legislation.

Surely, if we are to provide housing, we must ensure that there is an adequate supply of serviced land. The steps have been taken by this government to assemble a great deal of land that can be serviced quickly. If that is to be done then, of course, there must be a corporation or a vehicle which can take over that land, do the necessary planning and the necessary servicing and put that land on the market where that is the thing to do and, if necessary, to build public housing and to ensure that there is plenty of housing for the people.

There was criticism on the basis that the municipalities would not be involved. This corporation does not provide for any substitution by way of government or by the corporation. The land itself is within municipally structured municipalities and is subject to those municipal laws and to the municipal jurisdictions. So there is no question of creating a separate political entity in terms of a land corporation.

The other aspect that was raised by the member for Riverdale was public involvement. If he reads the bill he will see that essentially the corporation will be planning the lands; in other words, it will be determining the ultimate use for those lands. It's really an official plan that will be developed and then presented to the municipalities within whose jurisdictions that land lies. Surely it is essential in an area of this magnitude to define what land should be used for residential purposes and, of course, what land should be used to support that residential development in terms of commercial and industrial development. That is a part of the planning process.

Once an official plan is devised and developed by the corporation that will be created by this bill, then that corporation will submit that plan to the municipalities within which the land lies. Those municipalities no doubt have their own official plans. It is at that stage that the corporation will apply to those municipalities for an amendment to their official plans to implement the plan of the corporation. It is at that stage that the public involvement takes place. Surely, if an official plan of the municipality is to be amended then there must be public hearings, and that process is set out very fully in the Planning Act, so notification must go out and public hearings take place in connection with an amendment to the official plan of the municipality.

That is a concern that at first blush I thought may be a problem, I may say, particularly to the fringe areas of the site which would be for development. But I can see where anybody involved in terms of land ownership or with an interest can, along with the municipal corporations, have an adequate opportunity, and no doubt will, to express their views in terms of the development of the lands of the corporation. So there is a provision for that.

If the land is to be assembled then, of course, there has to be catalyst to see that that land is serviced. And if there has been any real cause for a lack of housing in this province it's the lack of serviced lands so that the plans can be developed.

A part of that shortage has been caused as well by the delay in the processing of the plans of subdivision. There is no question in my mind that that has added to the lack of serviced lots. But with the land being assembled here controlled by the corporation in terms of processing its own plans of subdivision and servicing its own lands, then I can see no reason why the whole planning process cannot be expedited in terms of putting serviced lands on the market for housing.

The Act provides, of course, for the corporation to enter into agreements with the municipalities in terms of servicing where municipal services will be necessary, and other types of agreements that may result. It seems to me it is broad enough in its scope to facilitate whatever must be done to expedite the processing of raw land to serviced

land. So I can see where a vehicle of this nature is essential if we are going to have land put on the market for development.

I think it is significant that this land is aloof from Toronto so that a new community can in fact evolve. No doubt it will be Metropolitan Toronto oriented, but nevertheless I think it's a step in the right direction.

There is one concern I do have in regard to the legislation and that is the lack of definition of the boundaries of the lands that will be administered by the corporation. The provision in the bill defines the North Pickering planning area as an area of land "in Ontario" designated as such by the minister under this Act. I would like to see the lands at least defined as being in certain existing municipalities, so there will be no misunderstanding as to what this corporation may do in controlling lands that are quite apart from the North Pickering area. I think that might be clarified.

As for trying to delineate all of the responsibilities of the corporation and to define them in such detail as the member for Riverdale expects, I think that is asking just too much. It will certainly restrict flexibility if there is an attempt to define. As long as we can confine its jurisdiction to that geographical area I think it can do a good job.

The powers of the corporation extend to turning over the land to private enterprise—to the private sector—and I am glad to see that. I would think it will involve developers so that the land in question can be built upon. You can't expect the government or government agencies to develop on their own all of this land. The best way, of course, is to involve the private sector in the development and physical construction of the houses and other buildings that may be necessary. So that that will be done, I don't see one great big government town being developed like the government store. It will be a community that will be inspired and directed and planned at this level, but certainly revert to the private sector and to the homeowner for his enjoyment. So I heartily endorse the bill and its provisions, but would suggest that some further delineation of the geographical area be provided for in the bill.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, the member for Downsview has set out some of the basic points of our opposition to this bill. I certainly wish to confirm that it is the view of our party that we will oppose this bill, this spinoff from the original Ontario Land Corp. and the background that led up to that bill.

On Jan. 10, 1974, a former Minister of Housing, the hon. Robert Welch, in a speech entitled "A New Approach to North Pickering," set out in rather lengthy form some of the sorts of things which he, as Minister of Housing at that point, looked forward to seeing in the development of this project. Here is just one brief quotation from the bottom of the second page of his press release:

> The government's policy on North Pickering has evolved in response to considerable public interest in ensuring that planning in this area reflects the importance of protecting the historical, agricultural and recreational resources for future generations, while allowing for sensible and balanced development where clearly appropriate.

Mr. Speaker, that was the view of the minister as he suggested that a decision on policy had been reached whereby the original intention of expropriating some 25,200 acres by either negotiated settlement or expropriation had been changed. The decision then was made to expropriate a somewhat smaller area of land, and as a result some 8,700 acres in all have been planned for expropriation in the North Pickering area. The view which the opposition had at that point was that the government's decision as it was made then disregarded the normal property rights of the landowners in the area.

It is certainly not my intention to go into the merits or otherwise of this entire project. That decision, it appears, is still somewhat up in the air, because there seems to be an inability on the part of the provincial and federal governments to come to some firm conclusions as to this whole development within this part of the province. But the minister of the day in January of last year acknowledged that the plans which the province was making made it necessary to proceed with expropriation without the usual hearings of necessity that had been called for.

Those hearings would, of course, have allowed an entire review and examination of this North Pickering project. The Expropriations Act, as you know Mr. Speaker, provides for a hearing of necessity where this kind of an expropriation is an extraordinary infringement on the property rights of all private landowners; and this has to be justified, of course, as being in the public interest.

It is our view that these hearings of necessity should have taken place. I am sure the other speakers in this party who enter into this debate will go on at some length in the detail as to how those hearings should have been held.

It was at that point almost two years since the North Pickering project had first been announced, and certainly the concept of a large residential development in that area has been brought forward over these past three years without ever the opportunity of having an intelligent scrutiny of the whole project by a public inquiry.

There are, of course, many who fear that this entire project will be nothing more than a bedroom community that is going to overload the already burdened city of Toronto and municipality of Metropolitan Toronto. The member for Prince Edward-Lennox in his remarks has suggested that it may well be that this project will be oriented toward Metro Toronto. I think indeed it is inevitable that that would happen. Therefore the whole pattern of growth and the whole idea of development in this part of the province is subject once again to this greater pull towards the centre of the Metropolitan Toronto area within Ontario.

Well, of course, hearings of necessity on the development of this whole project should take place. There have been some changes made in the project but, as we see this bill before us now, we are in fact developing, as the member for Riverdale has said, a spin-off corporation that in turn is going to deal with the areas of development in this particular location that the Ontario Land Corp. in its entirety presumably would develop in certain other areas of the province.

In our view, there has been no effective or complete public involvement in this matter. Indeed, as late as October of this past year, various councillors in the area were concerned about the whole development of the project. The Oshawa newspaper reported on Oct 30, under a headline, "Davis Blasted by Committee," the views of some of the councillors who were concerned that their public request for a meeting, as they phrased it, had been completely ignored. That, of course, was the end of October, some three months ago. We have had the opportunity to debate the Ontario Land Corp. bill, which debate went on in the second week of December, 1974.

The comments by the Leader of the Opposition are useful to review, I think, as we debate the principles underlining this particular bill. I will report only one brief paragraph, and that is the comment which my leader is reported at page 6338 as having made:

> The minister, in my view, has usurped the planning function of the local community. I felt that this was done in Pickering; it certainly has happened in Haldimand-Norfolk; and it appears to be happening in the Spencerville land assembly as well.

Mr. Speaker, that seems to me to sum up entirely the view that shows us as being at odds with the government as they bring forward this kind of legislation. We believe the planning function of the local communities are clearly being usurped.

It is worthwhile, I think, to note that the members of the New Democratic Party are going to support the opposition to this bill, as I take it from the speech of the member for Riverdale. They did not support our point of view with respect to the Ontario Land Corp. However, they appear to feel that at least in this particular circumstance the consistency of opinion which we have had in opposing this kind of a development is worthy of some support by them.

It would seem, though, that certain of the Conservative members of this Legislature are reported as being a little uncertain generally with the kinds of approach that have been taken in North Pickering. There are difficulties which are reported. The member for Victoria-Haliburton (Mr. R. G. Hodgson) reported somewhat at length in the Oshawa Times of Dec. 19; and I think there are a number of other supporters of the government who are concerned about this general slide of development, whether by expressway, sewer or whatever, to the centre part of the Metropolitan Toronto area. This slide certainly could and should be avoided by intelligent and proper planning and by the development of sound and well-balanced communities that are viable on their own.

There have been a number of critiques on this whole development, but I certainly don't wish to review all the reasons as to why we think and why others have thought that this kind of project is not the sort of thing that should go forward in that part of Ontario in the way that is being suggested at the present time.

We have opposed the Ontario Land Corp. bill for the reasons that appear in issue No. 150 of Hansard of Thursday, Dec. 12. I will not review those comments, other than to say that the principles on which those comments were based, we think, are the valid principles which development of urban areas within the province should follow in the years to come.

There has been a lack of public debate. There has been an inability of elected offi-

cials—at least it is so reported—to obtain the kind of input and the feeling of involvement they think is worthwhile.

Certainly housing is needed, as the hon. member for Prince Edward-Lennox has suggested, but this kind of a bill will not provide the kind of housing that's needed within the foreseeable future. Certainly the municipalities require to have an involvement and a commitment as their own areas are developed. They do not need the kinds of new projects which are going to ignore the infrastructure that already exists in the municipality we now have.

But as I've said, Mr. Speaker, the most important reason for our opposition is the lack of public involvement; and the removal, secondly, of the planning function from the community level as we see it. As a result of these views which we have in this party, we will oppose the bill and we will divide the House.

Mr. Speaker: Does any other hon. member wish to take part in this debate?

The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): I'm just looking at some of the documents which were tabled today in the Legislature, Mr. Speaker. They make almost as fascinating reading as Bill 181.

My colleague, the hon. member for Riverdale, put our position on the bill pretty succinctly, and I don't want to elaborate on it unduly. I want to make a few remarks to the minister to try to provide some context and perspective for our tremendous reluctance to vote with the government, which reluctance, let me not be coy, will probably lead us to opposing the bill on second reading in the absence of any assurances from the minister; and I think that the request for the assurances is legitimate, given the background.

Mr. Speaker, perhaps I could make an observation about the background to this bill which fits the context of politics in Ontario in 1975. If the Tories in this province are in trouble—I know, Mr. Speaker, you're ambivalent about that—they are clearly in trouble for a variety of reasons. One amongst them was the subject for much comment in the Globe and Mail this morning, speaking, as it did, to a pattern of difficulty for the government. Another is the unresponsiveness of government generally in Ontario to the pressure of individual communities, of groups of citizens, on the need to decentralize authority.

If ever there was a classic moment at which the government found itself in difficulty in respect of unresponsiveness, it is in terms of the North Pickering community project. The work which the People or Planes groups have done on behalf of the residents, and the work which has been done by the community antagonistic to the way in which the government has proceeded on North Pickering, speaks volumes about the problems which the government has.

Let me review it for you, Mr. Speaker. One of the difficulties with this piece of legislation is that it comes at the end of the road of a series of ministers and a series of initiatives which have left all of the people involved perplexed, angry and bitter about the government's intentions. In my short duration in this Legislature I've managed to watch the evolution of North Pickering, and I've seen it go from John White to Claude—what's Claude's last name?—Bennett, to Bob Welch to Sidney Handleman to Don Irvine; and I suspect there were other interlopers along the way whose names escape me because they've probably retired from the cabinet for one indiscretion or another. As a matter of fact, the current Minister of the Environment (Mr. W. Newman) when he was a near private member, by that I mean a parliamentary secretary, made certain fairly major pronouncements on the North Pickering community project as well.

Mr. D. M. Deacon (York Centre): The matter of the inquiry.

Mr. Lewis: So that this project has not lacked for government intervention, although it was intervention of the most maladroit kind. That's number one.

Number two: When the expropriation orders were given to proceed without an inquiry, when Bob Welch uttered those important words, the government introduced a degree of non-confidence in the entire North Pickering area that it can never retrieve; or rehabilitate rather, that's the more appropriate word. The whole community lost such confidence in this government and in its motives and in its objects when it said expropriation without an inquiry that no bill, least of all this one, will rehabilitate its intentions in the eyes of the citizens.

Number three: The government made colossal mistakes in the expropriation procedures which have been applied. Having taken away the rights of an inquiry from the citizens involved, Mr. Speaker, the government then went about the expropriation in the most ham-handed way, requiring this report on the Expropriations Act prepared by Mr. Robinson, QC, which report is largely an indictment of the use of the Expropriation

Act in the North Pickering community area. One would think that somewhere along the way something right could be done. This bill is an attempt, perhaps the first attempt, to make things go right. Yet it contains within it an Achilles heel so stark that the bill itself is, I think, largely insupportable.

First of all, there is a flux over five or six ministers. Then the government has an expropriation procedure which takes away the right of inquiry; then it has the expropriation mishandled; and then one has to look at it in the context of everything else that occurred in North Pickering which leads to this bill.

Mr. Speaker, how can one have confidence in a bill to establish the corporation whose object is to plan and then to develop—those are the key words, as my colleague from Riverdale pointed out—the North Pickering community, when all of the preliminary history suggests bad faith. Look at how often the population has changed for North Pickering. That in itself is worthy of a skit at some local night club on the way in which government plans.

When the Toronto-centred region plan was first introduced the government envisaged a group of small communities of 20,000 or 25,000 in population. After the airport was announced, North Pickering assumed a population of 300,000. It then retreated to 250,000, it then retreated to 200,000; and in the most recent pronouncement on a North Pickering community project, it lies in the area—am I right?—of around 70,000, Mr. Speaker.

The Minister of the Environment more or less acknowledges it with an inscrutable nod of his head. Lo and behold, no sooner do we get a suggestion of 70,000 people in the North Pickering community project than the Minister of the Environment announces the big pipe running through York and Durham, thereby destining the North Pickering community project to a population minimum of 250,000, no matter how one slices it. So we start at 25,000 and we move upward to the range of 300,000; we come down to 70.000, and now we are back to 250,000. God knows where it will all end. This corporation can hardly be trusted with making yet another decision of that kind.

The other thing which is very important, Mr. Speaker, is that in the process leading to this finale, it becomes clear that the North Pickering community is no longer a separate community, but in fact will be an extension to the east of Metropolitan Toronto, which is precisely what everyone doesn't want; and which of course speaks to the next point, which is the complete destruction of the Toronto-centred region plan. We have talked about that plan on umpteen occasions in this House, but the North Pickering community project is what destroyed the plan beyond retrieval.

It should also be pointed out, Mr. Speaker, that this Act to establish the North Pickering Development Corp. proceeds in the face of our not yet hearing of the airport decision. I gather that Jean Marchand is about to make an announcement about the airport; and I have no doubt, being fairly cynical about it—my friend in the Legislature, the member for York Centre, may have other information, but I suspect he may share my cynicism — that Jean Marchand will proceed with the second international airport at Pickering—

Mr. Deacon: About 2015.

Mr. Lewis: About 2015; absurd though that idea may be! This whole North Pickering community evolved in response to the airport. That's why it is there.

The airport should never have been given encouragement by this government in the first place. If this government had said "we won't build the services", there would be no second international airport at Pickering. But by no means should this project have been tied to the airport, because what that necessarily involves is this massive urban extension east rather than a series of small and separate communities.

In other words, the whole history of this project is ignominious. The whole history of this project is a series of trials and errors without planning, without thought, without substance—a kind of ad hoc response to events over which this government has no control. Now it brings in this final insult to the people of the area, having spent $150 million expropriating land and destroying communities.

I said a number of months ago—no one paid any attention to it because it was seen to be self-serving then—that one of the ironies about the Conservatives in 1974-1975 is that they are a party that destroys those things in Ontario's heritage which are usefully preserved. We, on the other hand, have become a party — that's part of an infinite, philosophic—

An hon. member: Mismanagement.

Mr. Lewis: —creativity. We are a party which wants to preserve what the Tories are now destroying in Ontario's life.

Mr. R. F. Nixon: (Leader of the Opposition): That's a new game.

Mr. Lewis: I want to tell the members something; there will never be any answer, they'll get it at the polls. There will never be any answer for this government other than repudiation for the $150 million destruction of the North Pickering area, the agricultural land, some of the farms, many of the small communities; and doing it in a fashion so flat-footed and bullheaded that there are very few precedents for it.

As a matter of fact, even the report on the Expropriations Act confirms that; although, as my colleague, the member for Riverdale points out, it has everything written by lawyers and is cast in language so discreet and so careful that it doesn't seem to be the rebuke that all of us really know it is.

Nothing has gone right in North Pickering. Absolutely nothing has gone right in North Pickering. The basic reason for nothing going right in North Pickering is that the community has never been adequately consulted. This government has never really involved the people of the area. It has never really paid them any heed. They go to meeting after meeting with ministers and ministers' subordinates who trample all over the people who appear at the meeting.

After the famous meeting with the member for Carleton (Mr. Handleman) when he'd taken over this portfolio, Anne Wanstall, who was then a Tory, wrote a letter to him that I want to put on the record. It speaks what everyone felt about the government's approach to North Pickering.

Dear Mr. Handleman:

> I went home an angry woman after last evening's meeting in Brougham and I wonder whether you had as troubled a a night as I did.
>
> Like so many others here I'm sick and tired of being fed platitudes about the joys of urbanization. I've seen what it does to the urbanites and I don't want it to happen to me.
>
> This whole concept of taking land and homes from some to give it to others has already made most of us bitter.
>
> That old man, for instance, with his tartan collar flying out of its jacket; he's nearly 90, nearly blind and recently lost his wife to a home because of senility. You couldn't tell him who were the people who needed his home and property more than he did. You couldn't even give him numbers, just some vague idea that people like to move every three years. How will you explain to this self-sufficient old farmer that his government is condemning him to an old people's home?
>
> The whole premise is utterly disgraceful and shouldn't be tolerated in a democratic society. Your ignorance over the issues of the airport are far from healthy for a politician. At least developers know why they speculate on land. You don't even appear to have interested yourself in whether there is a need for an airport in Pickering. Surely, we should expect better for the salaries we pay.
>
> As you suggested, you'll do as you like about the North Pickering land grab and toss the objectors aside. You won't consider that you condemned the objectors to a life-long bitterness against your government; or that you condemned those who buy your houses to the misery of sterile organization under an airport which nobody needs. That's immaterial so long as you keep face with voters who will only realize that it's their turn when they get hit with an expropriation notice. I'm dismayed and disgusted that our party describes itself as Progressive Conservative.

Well, to defend Anne Wanstall, it is of course no longer her party. With fashionable enlightenment on her part she has shifted political allegiances and the Minister of the Environment more than most knows that when he loses his seat to the NDP in the next round Anne Wanstall will be one of those in there pitching.

Hon. Mr. Irvine: The member has to be a dreamer.

Mr. Lewis: As a matter of fact he doesn't. I'm not a betting man, but I come as close as possible to say that the Minister of the Environment is facing retirement. Of course, he may not even run in Durham West. He will probably retreat into the riding of the member for Ontario (Mr. Dymond), knowing that Durham West is safe for the minister no longer. But we'll wait and see what happens, we'll hear about his choice.

Hon. W. Newman: It sure isn't safe for the member for Scarborough West. It will never be safe for him and his party.

Mr. Lewis: I want to say, Mr. Speaker, that what Anne Wanstall wrote less than a year ago now—I guess it was March—

Hon. Mr. Irvine: She'd be a great candidate for the NDP.

Mr. Lewis: As a matter of fact I think Dr. Charles Godfrey of People or Planes has already indicated that he'd like to run for us. How I wish the Minister of the Environment would run against him.

Hon. W. Newman: That would be a pleasure.

An hon. member: No contest.

Interjections by hon. members.

Mr. Lewis: What a contest that will be with Newman pulling up the rear.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: Anyway that is apart from the issue. I thought I might engage the minister's interest.

Interjections by hon. members.

Mr. Lewis: I want to say to the minister, through the Speaker, that what Anne Wanstall wrote about speaks to the whole problem of North Pickering. There's never been any serious consultation. Those people opposite don't know what it means to involve the community; and when they involve the community now, whom are they going to involve?

Has anybody over there ever asked themselves whom they are going to involve? Has the Minister of Housing gone up the concession roads of North Pickering? What is left to North Pickering? They've expropriated all the people; more than half of them have now moved, the rest of them are embittered. There is no one left to consult with. The government practically destroyed that entire area of the province and it has never once had meaningful public consultation; its North Pickering community offices—

Hon. Mr. Irvine: The member knows better than that.

Mr. Lewis: I don't know better than that. I've seen the minutes of the meetings and I've read of the indignation of the people involved and the minister has never, ever seriously involved them in this project. As a matter of fact even his bill is hypocrisy.

Hon. Mr. Irvine: How?

Mr. Lewis: Let the minister show me in any article of this bill where the public is involved.

Hon. Mr. Irvine: Why doesn't the member read it?

Mr. Lewis: I have read it, carefully. Does the minister realize that he's got an entire piece of legislation here which flows from a total ignoring of the public; not in one clause does he involve the public in the planning process.

Mr. J. A. Taylor: Read sections 20 and 21.

Mr. Lewis: As a matter of fact, the member from Picton and area says to me, "Read section 20 in the Planning Act." Do you know what it says, Mr. Speaker? It says, "The corporation shall provide a copy of the plan for development to the council of each municipality." Let me ask the minister something: What does he mean it will provide a copy of the plan? That's why those people opposite are losing this province and they can't understand it.

Hon. Mr. Irvine: We are not losing it—

Mr. Lewis: The plan for development is something—

Interjection by an hon. member.

Mr. Lewis: No, no, no; the plan for development is something that the government arrives at after public consultation. They don't understand the planning process.

Mr. J. A. Taylor: Read the section.

Mr. Lewis: I've read the section.

Mr. J. A. Taylor: No he hasn't. Let him read the whole section.

Mr. Lewis: All right, I'll read the whole section; the member can interpret it for me. He is a lawyer, right; he can interpret it.

> The corporation shall provide a copy of the plan for development to the council of each municipality that is within or partly within the North Pickering planning area and shall, in accordance with the Planning Act, request the council of each municipality [A neat verb, "request"] that has planning jurisdiction to make such amendment to its official plan as may be required to enable the North Pickering planning area to be developed in conformity with the plan for development and the official plan for the municipality.

Mr. J. A. Taylor: Read the next section.

Mr. Lewis: "Section 20 applies, mutatis mutandis, to any amendment to the plan for development."

Now all that that says is that the plan for development is presented as a fait accompli

to the municipalities involved, to the councillors involved, and to all of the citizens' groups involved.

An hon. member: No.

Mr. Lewis: Of course that's what it says. It says "the plan for development," and the minister knows and I know that there will be no citizens' input at all to the decisions on North Pickering.

Another reason that the bill is a sham is contained in section 19, which says rather badly, "The proposed plan for development may contain," and then it sets out all the things that are already decided upon. The Tories are really a most remarkable group. The general distribution and density of population; they have already made announcements on that. The general location of industry and commerce; they have already made announcements on that. The identification of major land use areas and the provision of major parks and open space; they have already tabled maps on that.

This isn't a plan for development, this is a fait accompli. They are simply going through the motions of presenting to the community and the councils things which planners at Queen's Park have decided upon. And damn it all, they cannot run Ontario that way forever.

Hon. Mr. Irvine: The member's colleague on his left made a much better speech.

Mr. Lewis: They are so given to the infatuation with the sense of right at Queen's Park that they don't understand planning. Do you know, Mr. Speaker, there was not a single meeting—not a single meeting—with the residents who used to live in North Pickering which didn't have within it intense bitterness, because at no time were they genuinely involved.

I listened to the member from Picton carefully when he spoke in response and I have listened to the minister on many occasions. Let me read something into the record of this House which says everything about the way in which the citizens felt toward this government's manipulation of the planning process around North Pickering. The former Attorney General (Mr. Welch) came out to speak to the citizens as the government rotated from minister to minister. He sat before them one night and a tape was made of the proceedings, and the frustration of the people there grew as the evening went on, as they realized that yet again nothing was happening by way of real consultation. Then John Livingston got to his feet and said the following, spontaneously, to the meeting. I want to put it on the record to give the government an idea of the views and the feelings in North Pickering:

> As for myself, my wife and I have worked and saved most of our lives to own our home and land. Now we are expropriated forcibly. It is all taken from us. Only those who have been expropriated can know the bitter, traumatic shock that expropriation brings to its victims. It's a dreadful thing to know that one's bricks and mortar are to be torn down; one's land bulldozed, and one's trees and flowers and shrubs. But even more dreadful than the property damage is the damage that is done to the human soul.
>
> The soul damage is not easily seen. It's not recorded in the newspapers, but that soul damage is inside every one of us in this room who have struggled against this two-year threat of expropriation. Until this happened I was certain I was simple, rational, peaceful, compassionate, but now I am not certain of myself. Something dreadful has happened inside of me, something that changed me, and the change saddens and frightens me. My soul is now charged with cynicism, distrust and hate. The government has made me into a violent creature.

Now John Livingston is a man who lived on and cherished that land in North Pickering for many decades. And, like a tremendous number of people in that community, he doesn't understand what has happened. He doesn't understand the government's motives. He doesn't understand its actions or its objects. None of them do, and many of them have gone. In the process, the government has left citizen participation in tatters. There are some who are closer to it than I am, there really are. I have had great contact with the North Pickering community group over a period of time, but some who represent the area, some who have lived there, some who have visited there—presumably the member for York Centre for example—may know more of it directly than I do, but I want to tell the minister—

Hon. Mr. Irvine: Which group is the member talking about?

Mr. Lewis: I'm talking about the citizens' groups who are involved. The project group I know about; I know more than I wish to know about them; I've read into the record the minutes of the meetings of the North

Pickering community project group with some of the citizens. I've done that in the last two or three years. I'm telling the minister that in January of 1975 his government has no credibility left in North Pickering at all.

If ever there was an example of planning folly, it is North Pickering. If ever there was an example of the abuse of public consultation, it is North Pickering. If ever there was an example of the waste of public funds, it is North Pickering. If ever, therefore, there was an example of a bill which should include room for public participation, it is this one, and it doesn't contain it.

Now, like the member for Riverdale, if the minister can show me where in this bill the people who are left or those who are around will participate, I'll take a second look at it. But he can't ask us to support a shambles of this kind in the name of some specious argument about housing. The government is not building North Pickering because it wants houses; it is building North Pickering because it locked itself in three years ago, it doesn't know how to extricate itself, and it doesn't care what damage is done in the process.

Mr. Speaker: The member for York Centre.

Mr. Deacon: Mr. Speaker, I certainly rise to oppose this bill and this disastrous concept of a new type of city; "Lord McKeough's" dream city, a nightmare for the people of the North Pickering area—Cedarwood, or whatever he has always called it in the past; I don't know what he is going to call it in the future—and a nightmare for the taxpayers of Ontario. It has been not only a pimple, it has developed into a canker, a cancerous growth against Toronto.

Mr. P. J. Yakabuski (Renfrew South): Has the member talked to Marchand?

Mr. Deacon: I feel sorry for this minister because, as has been mentioned, he is the sixth who has been sent in to correct a McKeough disaster—after McNaughton, Bennett, White, Welch and Handleman. The cause, the reason? A plan that was based upon a sewer, the York sewer. The whole Toronto-centred region concept was a mistake because it was a mistake to put development and concentrate development so that the wastes of human settlements would be dumped into a lake instead of this province developing other means of providing treatment of our wastes and enabling us to develop our cities and communities in those parts of Ontario in ways that don't involve our best agricultural land, that don't enable speculators to concentrate ownership in a few hands and that don't prevent full competitive development of housing in areas of Ontario that need it.

Cedarwood involved the confiscation of several long-established little communities, the kind that you and I dream about, hear about and didn't believe still existed. But those of us who have lived in the areas know the people of Cedar Grove, Whitevale, Locust Hill and these other spots realize what we have done when we see what has happened in the last three or four years in that area. It was simply the saddest thing, driving through that area yesterday, to see what has happened to our prime agricultural land. Those barns that used to be a pride of the area now have boards off, sagging roofs, showing the effects of no incentive for the owners for the last several years.

We see now that land prices have spiralled to unheard of levels because of the fuel this government added to the fires of inflation in the Toronto area by buying up land close to Toronto, where already there was a demand; instead of, if it was going to provide for a new city, building it and locating it well away from an area where there was already inflationary pressure.

This government failed to learn the lessons of Malvern, where we saw $500-an-acre land in 1954 soar to prices of $150,000 an acre or higher in these days. Where is the benefit to the poor home buyer? Where has this government succeeded at any time in providing better housing at a lower cost by these practices of land assemblies and the way it has done them?

Now we have this York sewer, which is going ahead. The government needs to have this huge development of Cedarwood to help justify it, as it wants the government of Canada to build an airport there to help justify it, instead of encouraging new-type small sewage treatment plants located in centres well away from Toronto.

I oppose this bill because it removes planning from the normal channels. No matter what the minister says about the Planning Act and the way it is involved, there is no question here that from the way that this board is being set up we have a new bureaucracy that is going to be well insulated from political accountability in the normal way. There will be efforts made to influence the board members, no doubt to make certain that the government gets its

money back from the poor ultimate home buyer.

As the previous speakers have mentioned, so far the public participation in this has really been a whitewash. I have attended some of these meetings. I have listened to the people present their ideas as to how they can preserve, hopefully, some of the essential aspects of those communities. I have heard those who have attended on behalf of the government indicate they will have to give that consideration. But nothing ever happens to get these communities back on their feet where we can have a centre on which any future development could be based.

I have mentioned to the minister before the fact that around existing communities in Ontario we have had many examples of where the population has expanded many times. Yet because of the existing facilities in those communities, because of the way the old residents and the new have mingled, we have been able to retain a sense of identity that is so essential to good development. In this North Pickering project, I suppose the government will probably provide for one token member of the community on the board of nine or 10, but what meaning has that? How does that help those people in the area to get proper involvement, because they won't be in on the development of that plan.

They may have a chance, when it comes before their council, to see what this bunch of bureaucrats have dreamed up. But they won't be involved unless the government provides for reasonable representation by those people on the board. Unless at least 40 per cent of the members of that board are elected by the local people or appointed from among the local residents, it is just tokenism of the worst sort.

The member for Prince Edward-Lennox asked what does the Liberal Party have as an alternative? We have an alternative. We want housing, not waste, inflation and bureaucracy. We want to have enterprise and efficiency. We want to open up serviced lots and create a truly competitive market, and we believe this can be done.

Interjections by hon. members.

Mr. Deacon: We believe it can be done, and the government knows it can be done if it has any imagination. All it can think about is building up its bureaucracy and building up its power.

Interjections by hon. members.

Mr. Deacon: If we had had for the last two or three years a major programme of servicing lots and providing trunk sewers, and not $80 million or $115 million a year but $400 or $500 million a year to catch up with the backlog—

Mr. J. A. Taylor: Who is going to do it?

Mr. Deacon: —if we had provided financial support to the municipalities, instead of them having to worry about having a financial burden placed upon them because of low-cost housing that has been approved in their area, we could show them there are actual benefits. If we would emphasize this approach instead of wasting our money in buying $150 million of land and turning those funds over to speculators to buy somewhere else; if we would create this competitive market, we would kill this element of land speculation far more effectively than any land speculation tax. We haven't solved the problem yet for the people that need housing—

Mr. R. Haggerty (Welland South): The government is in bed with the developer in this scheme.

Mr. Deacon: —and we are not going to do it by buying up thousands of acres of land. We are only going to do it when we enable small house builders—

Mr. G. Nixon (Dovercourt): We are going to do it in North Pickering.

Mr. Deacon: Don't tell me the government is going to do it with North Pickering. Look at Malvern. How many opportunities have there been for the small house builder in Malvern? How many opportunities will there be in North Pickering? None at all!

Until the minister's colleagues in the cabinet can understand how they have been feeding the fires of inflation in the past—

Mr. Haggerty: Right on.

Mr. M. Gaunt (Huron-Bruce): Right on.

Mr. Deacon: Until they get back to the rudiments of high cost housing—

Interjections by hon. members.

Mr. Deacon: —by eliminating the problem of shortage of building lots—

Interjections by hon. members.

Mr. Deacon: —then we're never going to solve our housing problems in this province.

And for that reason we're opposing this bill, because we believe there are better ways—

Mr. R. F. Ruston (Essex-Kent): When is the member for Prince Edward-Lennox going to be a parliamentary assistant?

Mr. Deacon: —of providing housing for Ontario than the socialist approach these Tories have taken.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell: Thank you, Mr. Speaker.

Mr. Gaunt: He is right, too.

Interjections by hon. members.

Mr. Speaker: Order please. The hon. member for St. George has the floor.

Mrs. Campbell: I was very interested, Mr. Speaker, in the remarks of the hon. member for Prince Edward-Lennox, when he challenged the official opposition as presumably not being interested in the development of housing. And I can understand why he would feel critical in this sense. He has viewed the fact that there is the Ontario Housing Corp. He has viewed the fact that there is a ministry and he has recognized its failures up until now. He is praying, I assume, that this new deal will accomplish what hasn't been accomplished by this government in the past.

Interjections by hon. members.

Mrs. Campbell: However, Mr. Speaker, we in this party have to gain from the experience of the past and cannot presume that carrying out the same pattern is going to achieve something which has not been achieved under the other administration, be it the ministry or Ontario Housing Corp.

The hon. member for Prince Edward-Lennox spoke about the involvement of the people in the planning process under the Planning Act. I tried to take down verbatim what he said, and I hope he'll forgive me if I have not accurately done that because I do not take shorthand.

Mr. J. A. Taylor: I won't forgive the member for inaccuracy.

Mrs. Campbell: No, well, all right. I'll just have to bear with that lack of forgiveness.

What I understood him to say was that once a plan was developed the people would then have to be consulted. And, of course, this is precisely what has happened in the past. Once the government has developed a plan, the people are then consulted without having the expertise, without having any of the capabilities of facing the sophistication of the horse and buggy planning of the province at this point, and they are frustrated. What has been said about the history of North Pickering is so abundantly true.

And, again, I have great sympathy for the minister in trying to dig out from under the accountability of this government for the disaster in North Pickering, and to interpose between the people and their elected representatives another unresponsible group with no accountability to the people of this province for what it may do in North Pickering. I can appreciate his problem.

Like the leader of the New Democratic Party, I have a certain sympathy for this minister, because certainly as a minister he has not been responsible for all of the disastrous history of this particular area of the province. It is, Mr. Speaker, very unfortunate that this government seems to be determined to impose its will one way or the other upon the people of this province. There really isn't much use, in fact, in presenting opposition, save and except it be recorded for future purposes. Surely one of the things that should happen in North Pickering at this point is to try overcome, so far as that may be possible, the autocracy of the past. We are now going to have a corporation proceeding under the present Planning Act determining what the future shall be, and I wonder what input there is going to be.

This surely might be a very useful area to bring the people who are left together with the province and the ministry itself to study such matters as impact zoning in the area; to find out what the impact is going to be on the soil conditions in this area; what the impact is going to be so far as the agricultural land in that area is concerned; and the sociological impact of putting masses of people into this area. This is the kind of planning performance that we have to move to in a democracy, where people are consulted at the beginning of the planning process and understand the criteria upon which a plan develops. This has to happen surely in this beleaguered area, if anywhere in the Province of Ontario.

The government cannot continue to put together these kinds of corporate bodies which have brought it so much trouble in the past really because of their unaccountability. Surely the ministry concerned so deeply with

housing could bring together with the planning process the data available to bring the people of that area, no matter how few there may be, into the planning process at its very inception. This kind of corporate body is the kind that will proceed as every other one has proceeded, a developer in the name of the government of Ontario but not of the people of Ontario.

Mr. Speaker, something has to be done in this area, and we are aware of it. But it can't—and I urge the minister to consider this—be done through this kind of corporate body. Surely he can understand and see that setting this up in the way he has continues the process by which this government relates to people, a process which is losing this government the trust and the confidence of the people of the province so that they are viewing it with suspicion; and indeed as has been stated in the House today, with hate.

Mr. J. E. Bullbrook (Sarnia): The minister is just a visitor anyway. He is only going to be here for one term. He will just be a visitor. They will enjoy him for the time being but they are going to send him back to Prescott.

Mrs. Campbell: Mr. Speaker, I was about to say that I wonder what this minister will do when we perhaps bring in, or he brings in, a development corporation for the Prescott area. We'll be interested in that.

Hon. Mr. Irvine: I will be interested too.

Mrs. Campbell: Surely, I don't want at any time to introduce something other than what I really feel is a deep and vital concern for this particular area. It has suffered enough. Whatever the superficial comments of the member for Prince Edward-Lennox may be, in this party, we cannot tolerate the continuance of this basic lack of principle on behalf of this government. Thank you very much.

Mr. Speaker: Do any other hon. members wish to speak on this bill? If not, the hon. minister.

Hon. Mr. Irvine: Thank you, Mr. Speaker. We've had a very interesting afternoon. Again, we've had a lot of thunder, very little substance—

Mr. Deacon: He'll find out if he attends any more meetings.

Hon. Mr. Irvine: —and I would think that the only member who has spoken in knowledge of the bill was the member for Prince Edward-Lennox.

Mr. Ruston: Wait till that lightning strikes the minister.

Hon. Mr. Irvine: The only one who had any idea of what the bill was about was my colleague from Prince Edward-Lennox.

An hon. member: That's cause for alarm right there.

Mr. Breithaupt: He's going to be the next minister.

Hon. Mr. Irvine: When we have the member for Riverdale stand up and say that he doesn't understand what the Ontario Land Corp. is and he doesn't understand what the North Pickering Development Corp. is. I wonder where he's been. I wonder why he can't understand what the Ontario Land Corp. is for, what the North Pickering Development Corp. is for and what it will do. It seems to me that the opposition members, not only the NDP but the Liberal Party, are saying one thing in common, and that is, "Nothing has happened. Don't do anything." Mr. Speaker, I'm saying to you that we're going to do something.

Mr. E. R. Good (Waterloo North): It is not what the government is doing, it is what it is not doing.

Hon. Mr. Irvine: We're going to provide a new community in the North Pickering area and we're going to provide it through the proper planning process of the Planning Act. When the leader of the NDP says to me that he can't find in the bill where we will provide this assurance, or we are providing this assurance, I say to him that he hasn't read the bill. The plan will proceed underneath the full jurisdiction of the Planning Act with full community, municipal and regional participation in the plan of development.

If the people in the area have said at some times they haven't had full participation, I have to take issue that people in the area—

Mr. Deacon: That is not participation and the minister knows it.

Hon. Mr. Irvine: —have had the opportunity to participate in public meetings time and time again.

Mr. Deacon: Oh, that isn't participation.

Hon. Mr. Irvine: I personally have met with tenants' and owners' groups, as I think I mentioned in this House not long ago, when at that time they said to me, "Why don't you

do something? Why don't you get the property developed?" I agreed to provide them with a planner to help them have input into this plan, which will come about in due course if we get some mechanism to deal with it. We have not yet the mechanism and I want to say right now, I want to put it on the record very clearly, I'm not going to have this particular legislation held up by going to the standing committee. We'll debate it in this House as long as the members wish—

Mr. Breithaupt: That will hold it up.

Hon. Mr. Irvine: —but certainly we're not going to go into standing committee.

Mr. Good: The minister doesn't want any public input.

Hon. Mr. Irvine: The people of the North Pickering area and the people of Ontario are firmly convinced that this government will provide a community which will be a very viable community in the years to come.

Mr. Bullbrook: We are not going to interfere with the democratic process.

Hon. Mr. Irvine: We will have a community which will have been built in co-operation with this government and with the private sector, and in full consideration of the views of those who live in the area and those who may be coming into the area. I find it very difficult to understand why the NDP take issue with what I and my colleague from Prince Edward-Lennox have said in regard to developing this property. They have said in this House, that we should land-bank and provide housing and related facilities at a lower cost than would be provided otherwise. This is exactly what we are doing here.

Mr. MacDonald: The minister's colleague here is urging him to turn it over to private developers to make a good profit.

Hon. Mr. Irvine: We have owners in the North Pickering area who are very delighted to have had the government come in and provide them with what we feel is a very fair offer for their properties. Mr. Speaker, the member for Kitchener, the member for Riverdale, and the leader of the NDP are talking about spinoffs. As far as I'm concerned it is not a spinoff. It is a corporation setup, which will be directly responsible to the government. It will be a corporation to deal expeditiously with the development of a plan—

Mrs. Campbell: And to the House.

Hon. Mr. Irvine: —which I believe is the only way we can proceed. Rather than proceed with the Minister of Housing being directly responsible, we must have a corporation. A board of the corporation will be in very close touch with the people in the area—certainly with all those who are directly concerned about this development. Regardless of what the opposition members say, this will be a planned development. It will not be a development which will take place immediately—in the next two years. It could be a development which will go gradually in the planning process. I expect a community of somewhere between 75,000 to 90,000—

Mrs. Campbell: How does the minister know that?

Hon. Mr. Irvine: —which will be enlarged at a later date after we have had the opportunity to assess where the development should occur in the future. Again I say, Mr. Speaker, the member who has spoken continually in this House about North Pickering, the member for York Centre, knows that the hamlets are going to be preserved. He knows this.

Mr. Deacon: The minister has killed them now. He has split them in half.

Hon. Mr. Irvine: He knows we are going to develop a well-planned community. He knows this in his own heart, but he doesn't want to admit that the government is taking appropriate action at this time. That is the essence of his argument really. He is saying that we shouldn't proceed. Why shouldn't we proceed? He has been telling us we have delayed too long. He can't have it both ways; he has to be one or the other.

Mr. Deacon: The minister has killed them already, he has split Cedar Grove.

Mrs. Campbell: The minister's premises are wrong.

Mr. E. M. Havrot (Timiskaming): The member for York Centre would like to have his cake and eat it too.

Mr. Deacon: We would just like to have our cake. We had it. The minister has taken it away from us.

Hon. Mr. Irvine: Mr. Speaker, all I want to assure the member for St. George, or any other member, is that this minister is not ducking out of any responsibility. This minister is acting in the right manner for the development of a new community. Now if

we need another corporation in Haldimand-Norfolk we may do so.

Mr. Breithaupt: Why not?

Hon. Mr. Irvine: I don't see where we will need one in Edwardsburg or Prescott. I don't see that I'll be going down to develop one right away, in case the member is interested.

But in any event, Mr. Speaker, the members of this House should realize the importance of this legislation. We have the responsibility to proceed as quickly as possible. We have the responsibility to proceed with the municipalities and the people deeply involved in this very important plan. We can have a very viable community if we all want it. But if the opposition members wish to vote against this bill, I would be delighted to see them on the record as being against progress in this particular area of Ontario. Thank you.

Mr. Speaker: The motion is for second reading of Bill 181.

The House divided on the motion, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Brunelle	Braithwaite
Carruthers	Breithaupt
Dymond	Bullbrook
Eaton	Burr
Evans	Campbell
Gilbertson	Davison
Grossman	Deacon
Havrot	Dukszta
Hodgson (Victoria-Haliburton)	Edighoffer
	Ferrier
	Foulds
Hodgson (York North)	Gaunt
	Germa
Irvine	Givens
Jessiman	Good
Kennedy	Haggerty
Kerr	Laughren
Lane	Lawlor
MacBeth	Lewis
Maeck	MacDonald
McIlveen	Martel
McKeough	Newman (Windsor-Walkerville)
McNeil	
Meen	
Miller	Paterson
Morningstar	Reid
Newman (Ontario South)	Riddell
	Ruston
Nixon (Dovercourt)	Samis
	Sargent
Nuttall	Singer
Parrott	Smith (Nipissing)
Potter	
Rhodes	Spence
Rollins	Taylor (Carleton East)
Root	
Scrivener	Young—34.
Smith (Simcoe East)	
Snow	
Stewart	
Taylor (Prince Edward-Lennox)	
Timbrell	
Villeneuve	
Walker	
Wardle	
Welch	
White	
Winkler	
Wiseman	
Yakabuski	
Yaremko—47.	

Clerk of the House: Mr. Speaker, the "ayes" are 47, the "nays" are 34.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Interjections by hon. members.

Mr. Speaker: Do I understand it is to go to committee of the whole House?

Agreed.

Clerk of the House: The second order, House in committee of the whole.

NORTH PICKERING DEVELOPMENT CORP. ACT

House in committee on Bill 181, An Act to establish the North Pickering Development Corp.

Mr. Chairman: Are there any questions, comments or amendments? If so, to what section?

Mr. D. M. Deacon (York Centre): Section 4.

Sections 1 to 3, inclusive, agreed to.

On section 4:

Mr. Deacon: Mr. Chairman, I am concerned about the representation on the board of directors, that there will be at least more

than token representation; if the minister is planning on having any representation at all, I hope that it will be at least more than token representation. I'm not sure of the wording that should be in clause 4, but I suggest that in clause 4 (1) the following words be added after "minister" in the fourth line: "Of whom not less than two and not more than four shall be chosen from among the residents of the area."

Mr. S. Lewis (Scarborough West): If there are four left.

Mr. Deacon: The reason for this is that I think it's important that the residents have some opportunity to provide input at an important point in the planning process. I don't think it's sufficient for this to come in well after the plan is prepared by the board and presented to the council. It's a slightly different type of project than a normal developer project would be, because in that case it's a private individual bringing forward a plan which will be considered by the council and eventually ratified by the minister. In this case, in effect, the plan has been ratified by the province, by the minister, before it comes before the local council. I think it is therefore important that—

Interjection by an hon. member.

Mr. Deacon: —at an early stage the minister involve representatives of the community in the planning process. They will see it before it gets out before the council. The input and the observations and comments of the local people will then be more adequately presented. I would hope that the minister would consider putting in this clause indicating to us how he will cover this necessity.

Mr. Chairman: The hon. minister.

Hon. D. R. Irvine (Minister of Housing): The amendment put forward by the hon. members is one I would need further clarification on. I would like to read what I understood you to say: "Not less than two and not more than four shall be chosen in the area." Is that right?

Mr. Deacon: Should be represented.

Hon. Mr. Irvine: Chosen in the area?

Mr. Deacon: I have written that down somewhere.

Mr. Chairman: Perhaps the Chair could read the amendment as submitted by the member for York Centre: That clause 4 be amended by the addition of the following words after "minister" in the fourth line, "of whom not less than two and not more than four shall be chosen from among the residents of the area."

The hon. minister again.

Hon. Mr. Irvine: Mr. Chairman, I don't believe I can have a designation such as "among the residents in the area." I would want to leave our options open as to making sure that we do have a very highly qualified board of directors on this North Pickering Development Corp.

Mr. Deacon: We certainly agree with you on that.

Hon. Mr. Irvine: It could be that there may be one or two or more—I don't know at this particular time where they'll come from. I have no idea whatsoever as to who will be on the board of directors. But I do believe that at this time I am not prepared to accept the amendment on the basis that I think it is imperative that we keep the options open as to who should be on the board, who is the most qualified.

If we have a very highly qualified person from your area, then certainly that person should be considered, and on the board. But if we find that we have more highly qualified people who could act on the board—for instance, from the region of York or from the region of Durham or from the region of Metropolitan Toronto or from any other area municipality—the definition of "any area" bothers me on the basis that I think it is confining it too much. I want to make sure that we do have different types of professions represented on this particular board along with those who are knowledgeable of the area.

Mr. Deacon: Mr. Chairman, I would ask the minister to clarify who he considers to be "qualified." We have a board of directors consisting of not fewer than five people. From among those residents I am sure that the minister would find five people who are quite aware of the important characteristics of any developing community. I think they could be people from whom the minister would get a much more honest input, and an important input from the point of view of the other members of the board. Because they are residents, they would reflect what the local people were feeling. They would also be able to report back to local residents what the input is. I am sure that the minister isn't wanting to have a sham board, one that just does what he wants. He wants to have a board that is a responsive one.

Hon. Mr. Irvine: A responsible working board.

Mr. Deacon: I am not asking here for the majority of the members to be from the local area. I recognize the minister's concern in that regard. But I would also hope that the minister would realize that the most qualified people, really, are those who are closest to the action; the people who are going to be affected by what happens. It could be that a John Livingston, or someone like him,—might not be the easiest person for the minister to get along with in all circumstances, but John Livingston—and I can't think of all the other names but I can think of Austin Reesor, for example, in my riding—people who really have a feeling for a community, people whose records show that personal, selfish motives are just never in their thoughts in whatever they do—they are really recognized as community leaders and out for the community in every action that they carry out. These people would be a very important element in a good development proposal.

I was interested this afternoon in a comment one of the residents made to me that she really would love to see that the minister intends to make this work. One way to show them that the minister intends to make this work is to provide for that local participation on the board. I am sure that it will help a lot to overcome the problems of past mistakes that this minister has had to live with.

As I said at the beginning of my remarks, I feel sorry for this minister taking over something that I thought had been a mess from the beginning. I know he has been making a conscientious effort to correct the situation, but I would like to hear this minister make a commitment to that type of participation, recognizing that that is quality representation when you have local people of that type appointed to the board.

Mr. Lewis: Mr. Chairman, I would like very briefly to support that view. Not only is it quality in the sense of community representation, but there is immense quality in terms of the expertise you talk about in that group. I mean, that group has forced the federal government into two major inquiries on the airport. They have done more statistical and analytical documentation than 10 years of civil servants combined. They have made unknown trouble for you people for God knows how long now—over three years—around the North Pickering community. I mean they know more; they are better informed; they understand the intricacies; they have absorbed the figures. You have got all the expertise in the world in those citizens' groups and the community people, and you have also got basic roots in the community.

I am not one who believes in co-option. I don't like that very much, but it might be an interesting effort to make this corporation work if you were to commit yourself to the amendment as put.

I would also like to suggest when we get to it that we should strike out subsection 5. I really object to the proposition that an MPP might sit on this board and be further remunerated. It is unjust. How many little sinecures can you people have? Look at Jim Jessiman's mouth. Already I see saliva forming at the edges of his mouth as he lusts for the post—from here I can see it and the man is 50 ft away!

You have to stop this. You have to stop—

Interjections by hon. members.

Mr. Lewis: —establishing all of these little patronage sinecures for backbench Tories and I really object to the proposition—

Interjections by hon. members.

Mr. W. Ferrier (Cochrane South): You have already got yours, Charlie.

Mr. Lewis: I object to the proposition that MPPs should sit on this board. It is simply wrong.

Mr. J. R. Breithaupt (Kitchener): There are none left.

Mr. Lewis: —and that they should be remunerated for it. You know what it is, Mr. Chairman; 71 out of the 74 Tories in this House have an extra emolument or job. There are three hangers-on—and they are hanging—and when this happens, then there will be two. You know that one about 10 little birdies sitting on a limb. I really think that it's time that it stopped.

Interjections by hon. members.

An hon. member: Would you give me a ride in your limousine?

Mr. Lewis: I certainly wouldn't.

Support the amendment put by the member for York Centre and strike out—my colleague from Riverdale (Mr. Renwick) or Lakeshore (Mr. Lawlor) I hope will do this—strike out subsection 5. We can't be throwing MPPs on to every board, collecting more public money on per diems, when they shouldn't be on there in the first place. They have the Legislature to debate. They are not supposed to be on a board of this kind. That's ridiculous.

Mr. M. C. Germa (Sudbury): It certainly is.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

ALPHABETICAL LIST OF MEMBERS OF THE LEGISLATIVE ASSEMBLY OF ONTARIO

(117 members)

Fourth Session of the Twenty-Ninth Parliament

Speaker: Hon. Russell Daniel Rowe **Clerk of the House: Roderick Lewis, Q.C.**

Member	Party	Constituency
Allan, James N.	PC	Haldimand-Norfolk
Apps, C. J. S.	PC	Kingston and the Islands
Auld, Hon. James A. C.	PC	Leeds
Bales, Dalton A.	PC	York Mills
Beckett, Dick	PC	Brantford
Belanger, J. Albert	PC	Prescott and Russell
Bennett, Hon. Claude	PC	Ottawa South
Bernier, Hon. Leo	PC	Kenora
Birch, Hon. Margaret	PC	Scarborough East
Bounsall, Ted	NDP	Windsor West
Braithwaite, Leonard A.	L	Etobicoke
Breithaupt, James R.	L	Kitchener
Brunelle, Hon. Rene	PC	Cochrane North
Bullbrook, James E.	L	Sarnia
Burr, Fred A.	NDP	Sandwich-Riverside
Campbell, Margaret	L	St. George
Carruthers, Alex	PC	Durham
Carton, Gordon R.	PC	Armourdale
Cassidy, Michael	NDP	Ottawa Centre
Clement, Hon. John T.	PC	Niagara Falls
Davis, Hon. William G.	PC	Peel North
Davison, Norm	NDP	Hamilton Centre
Deacon, Donald M.	L	York Centre
Deans, Ian	NDP	Wentworth
Downer, Rev. A. W.	PC	Dufferin-Simcoe
Drea, Frank	PC	Scarborough Centre
Dukszta, Dr. Jan	NDP	Parkdale
Dymond, Dr. Matthew B.	PC	Ontario
Eaton, Robert G.	PC	Middlesex South
Edighoffer, Hugh	L	Perth
Evans, D. Arthur	PC	Simcoe Centre
Ewen, Donald Wm.	PC	Wentworth North
Ferrier, Rev. William	NDP	Cochrane South
Foulds, James F.	NDP	Port Arthur
Gaunt, Murray	L	Huron-Bruce
Germa, Melville C.	NDP	Sudbury
Gilbertson, Bernt	PC	Algoma
Gisborn, Reg.	NDP	Hamilton East
Givens, Philip G.	L	York-Forest Hill
Good, Edward R.	L	Waterloo North
Grossman, Hon. Allan	PC	St. Andrew-St. Patrick

Member	Party	Constituency
Haggerty, Ray	L	Welland South
Hamilton, Maurice	PC	Renfrew North
Handleman, Hon. Sidney B.	PC	Carleton
Havrot, Edward M.	PC	Timiskaming
Henderson, Lorne C.	PC	Lambton
Hodgson, R. Glen	PC	Victoria-Haliburton
Hodgson, William	PC	York North
Irvine, Hon. Donald R.	PC	Grenville-Dundas
Jessiman, James H.	PC	Fort William
Johnston, Robert M.	PC	St. Catharines
Kennedy, R. Douglas	PC	Peel South
Kerr, Hon. George A.	PC	Halton West
Lane, John	PC	Algoma-Manitoulin
Laughren, Floyd	NDP	Nickel Belt
Lawlor, Patrick D.	NDP	Lakeshore
Leluk, Nicholas G.	PC	Humber
Lewis, Stephen	NDP	Scarborough West
MacBeth, Hon. John P.	PC	York West
MacDonald, Donald C.	NDP	York South
Maeck, Lorne	PC	Parry Sound
Martel, Elie W.	NDP	Sudbury East
McIlveen, Dr. Charles E.	PC	Oshawa
McKeough, Hon. W. Darcy	PC	Chatham-Kent
McNeil, Ronald K.	PC	Elgin
McNie, Hon. Jack	PC	Hamilton West
Meen, Hon. Arthur K.	PC	York East
Miller, Hon. Frank S.	PC	Muskoka
Morningstar, Ellis P.	PC	Welland
Morrow, Donald H.	PC	Ottawa West
Newman, Bernard	L	Windsor-Walkerville
Newman, Hon. William	PC	Ontario South
Nixon, George	PC	Dovercourt
Nixon, Robert F.	L	Brant
Nuttall, Dr. W. J.	PC	Frontenac-Addington
Parrott, Dr. Harry C.	PC	Oxford
Paterson, Donald A.	L	Essex South
Potter, M.D., Hon. Richard T.	PC	Quinte
Reid, T. Patrick	L-Lab	Rainy River
Reilly, Leonard M.	PC	Eglinton
Renwick, James A.	NDP	Riverdale
Reuter, Allan E.	PC	Waterloo South
Rhodes, Hon. John R.	PC	Sault Ste. Marie
Riddell, John	L	Huron
Rollins, Clarke T.	PC	Hastings
Root, John	PC	Wellington-Dufferin
Rowe, Hon. Russell D.	PC	Northumberland
Roy, Albert J.	L	Ottawa East
Ruston, Richard F.	L	Essex-Kent
Samis, George	NDP	Stormont
Sargent, Edward	L	Grey-Bruce
Scrivener, Mrs. Margaret	PC	St. David
Shulman, Dr. Morton	NDP	High Park

Member	Party	Constituency
Singer, Vernon M.	L	Downsview
Smith, Gordon E.	PC	Simcoe East
Smith, John R.	PC	Hamilton Mountain
Smith, Richard S.	L	Nipissing
Snow, Hon. James W.	PC	Halton East
Spence, John P.	L	Kent
Stewart, Hon. Wm. A.	PC	Middlesex North
Stokes, Jack E.	NDP	Thunder Bay
Taylor, P.	L	Carleton East
Taylor, James A.	PC	Prince Edward-Lennox
Timbrell, Hon. Dennis R.	PC	Don Mills
Turner, John M.	PC	Peterborough
Villeneuve, Osie F.	PC	Glengarry
Walker, Gordon W.	PC	London North
Wardle, Thomas A.	PC	Beaches-Woodbine
Welch, Hon. Robert	PC	Lincoln
Wells, Hon. Thomas L.	PC	Scarborough North
White, Hon. John	PC	London South
Winkler, Hon. Eric A.	PC	Grey South
Wiseman, Douglas J.	PC	Lanark
Worton, Harry	L	Wellington South
Yakabuski, Paul J.	PC	Renfrew South
Yaremko, John	PC	Bellwoods
Young, Fred	NDP	Yorkview

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Mr. N. G. Leluk (Assistant to the Minister of Culture and Recreation)

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No. 164



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, January 27, 1975

Evening Session

Clerk: Roderick Lewis, QC
Speaker: Honourable Russell Daniel Rowe

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

NORTH PICKERING DEVELOPMENT CORP. ACT

(concluded)

Mr. Chairman: When the committee rose at 6 o'clock we were dealing with the proposed amendment by Mr. Deacon, and the hon. minister was going to comment.

Mr. P. D. Lawlor (Lakeshore): May I say a word or two prior to the hon. minister's comments, Mr. Chairman? I want to throw my 17 pennies' worth into the ring with respect to the hon. member for York Centre (Mr. Deacon) in this regard. He has asked for a very intelligent thing. And I think what we're doing on this side of the House, and the minister well realizes it, is testing goodwill, good faith, his confidence in the populace.

That quality of good faith and his belief, if there is any, in participatory features of which he prates, and which are supposed to be in-built features of his government, will be tested on this particular occasion. In other words, he has asked for two representatives from the public out of a potential nine people to be placed on this board, so that right from the word go—in-built into the system itself and as a way of an ongoing colloquy, in terms of conversation, in terms of being there at the grassroots—he will have two representatives from that community present, at least two.

But surely that's not asking too much if he has any confidence in his own system and in the validity of the board that he is seeking to set up here.

One more board! Someday, Mr. Chairman, some member of this House should get out his tote board or his Chinese checkers or some form of abacus, and tote up. If it goes into the trillions, it just might catch the number of new boards, assemblies, tribunals, various forms of committees, instituted by the government during my very short stay in this particular House. They pass the imagination. And this is another one; all right, let this one work.

This is directed to a particular community. It's coalesced, it's known. The people who very well might sit on here are people of outstanding merit, considerable acumen, great ability. He doesn't have to take perhaps the more difficult ones among them; he knows which ones operate in a way that would be found feasible, who would make a contribution and yet who wouldn't be fall guys, and who wouldn't simply knuckle under to whatever the minister, by a nod of his head or a wink of his eye, indicates is what he wants.

So why not, if he believes in the fundamental principle that's supposed to be operative in this assembly and which is something of a new thing in the world, give some lip service to it? Give a budding nod to the acquaintance with participatory democracy and put a couple of people on there along the lines that have been indicated. If he doesn't do so then I put it to him straight that he is not in good faith, that he is not holding out the olive branch, that he is not standing by the principle that is so often thrown out in this House—that you participate, that you listen, that you are available; that you know, that you allow the widest possible participation by the citizenry in those things that will affect them and afflict them most. If the minister is not prepared to do that in this instance, then I would say that the government is not prepared to do it at all and the public may as well know what its stance is in this particular regard.

Mr. Chairman: Does the hon. minister wish to respond?

Hon. D. R. Irvine (Minister of Housing): Yes, Mr. Chairman, I thank the member for Lakeshore for his very short address. It was one of the most unusual I have heard.

Mr. Lawlor: Get to the point and sit down.

Hon. Mr. Irvine: In any event, the member for Lakeshore knows full well that on this side of the House we listen to the people fully at all times. I am wondering how the member for Lakeshore and his colleagues,

along with the official opposition, subscribe to this particular amendment of two to four members, when they are saying there is no one in the area, that the area has been—

Mr. Lawlor: You have decimated the area.

Hon. Mr. Irvine: Yes, right; these are the words from your leader's mouth, that we have decimated the area and there is no one there. How can I accept an amendment which says "two to four members from the area" when there is no one in the area?

Mr. Lawlor: It is the principle.

Hon. Mr. Irvine: The principle is this—and I want the member for Lakeshore, the member for Downsview (Mr. Singer) and everyone else here to understand this—that we will accept any reasonable recommendation of a very qualified person on this board, but I am not going to tie the hands of the board down to any particular area.

Mr. Lawlor: Would you permit the opposition to nominate two? I think we will find them.

Hon. Mr. Irvine: I want the opposition and I want the member for Lakeshore and the member for Downsview or anyone else that wishes to do so to nominate people.

Mr. Lawlor: We could nominate a couple.

Hon. Mr. Irvine: I would like them to recommend to the minister and to the government who they think in their opinion would be acceptable for this very important job.

Mr. Lawlor: But you won't write it into the legislation.

Hon. Mr. Irvine: I won't write it into the legislation. There is no way we put names into legislation. I was a bit amazed this afternoon when we had the leader of the NDP talking about one or two who could be better than someone else.

Mr. Lawlor: Two members of the board to be nominated by the opposition.

Hon. Mr. Irvine: There is just no way. We have to be factual on this.

Mr. V. M. Singer (Downsview): Shame!

Hon. Mr. Irvine: The board will be comprised of very competent people. If, in that area you are talking about—

Mr. J. F. Foulds (Port Arthur): By whose criteria?

Hon. Mr. Irvine: —you have in your opinion, and in the Liberal Party's opinion, one, two or more people, we would be happy to receive those names.

Mr. Lawlor: You are not going to have anybody rocking any boats.

Hon. Mr. Irvine: But certainly we want to have people who will—

Mr. Singer: That is not the point.

Mr. W. Hodgson (York North): Put the member for Downsview on; he is against everything.

Hon. Mr. Irvine: —make sure the plan is the best plan for the area. But I am not going to tie the hands of the board and say they have to have someone from a particular area.

Mr. Lawlor: A total minority.

Hon. Mr. Irvine: No way. The board has to be comprised of people who will be able to handle very—

Mr. Lawlor: You want people you know and trust who will do what you tell them to do.

Hon. Mr. Irvine: Just a minute now. I think probably the member for Lakeshore doesn't understand the concept. Were you here this afternoon?

Mr. Lawlor: Yes, I was.

Hon. Mr. Irvine: Yes, I thought you were.

Mr. Lawlor: I understand it only too well.

Hon. Mr. Irvine: You understand that the development corporation will be responsible for bringing forth a plan, which will be in full consultation with all the people of the area and with all the municipalities. Don't tell me that the minister is the one who is going to make the plans; it is the people and the development corporation who will make the plans. Certainly I don't want you to have the idea that the minority will rule the majority, because that is not going to happen.

Mr. Lawlor: Oh of course not. We just want an objective input.

Hon. Mr. Irvine: We will listen to all the the people in the area. If there is someone in your area, in the area that you are mentioning, that you think would be very competent, I really would be pleased to receive the name. I am saying to you I think it would

be very false on behalf of this government to proceed with a name or two or three or four now at this time, when we haven't had a chance to look into the competence of other people who might comprise the board.

Therefore, Mr. Chairman, I am very strongly against the amendment. I think the board should have all the rights of a very progressive board and not be one that will be tied down because of restrictions as to where a member comes from. I think this is something which the government must decide and the government will decide.

Mr. Chairman: Mr. Deacon has moved an amendment to subsection 1 of section 4 that it be amended by the addition of the following words after "minister" in the fourth line, "of whom not less than two and not more than four shall be chosen from among the residents of the area."

Is it the pleasure of the House that the motion carry?

Mr. Singer: No.

Mr. Lawlor: No.

Mr. Chairman: All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

Mr. J. M. Turner (Peterborough): You camouflaged that very well.

Mr. W. Hodgson: Everybody is against your amendment.

Mr. Chairman: In my opinion the "nays" have it and the amendment is defeated.

Mr. W. Ferrier (Cochrane South): A pretty powerful back bench you have over there.

Mr. Chairman: Are there any further comments, criticisms or amendments to any other section of the bill?

Mr. Foulds: Mr. Chairman.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds moves that subsection 5 of section 4 be deleted from the bill.

Mr. Chairman: The hon. member for Port Arthur moves that subsection 5 of section 4 be deleted from the bill.

Mr. Foulds: May I speak to it?

Mr. Chairman: Yes, the hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman. I think that at some point we have to start looking upon the duties of the members of the legislative assembly of Ontario as a full-time job.

Mr. R. F. Nixon (Leader of the Opposition): Well, we're here.

Mr. Foulds: A few of us are here. This bill is as good a place as any. I see no reason whatsoever why we should proliferate and expand the commissions, boards, corporations and so forth on which MPPs sit and for which they get additional remuneration.

Some time ago I spoke to this House at great length about the number of appointments that all members of this House had to boards, commissions and select committees. I see it, frankly, as a way in which the government of the day buys off members of the legislative assembly. It's a bit of crass political patronage and it should not be continued. And it should not be continued in this bill.

Surely to goodness there are enough duties for members of this Legislature to keep them occupied. If they are not doing a full-time job, Mr. Chairman, they're not doing their jobs; and they have no business serving on other commissions that take up their time. Although this is just one small section of one small bill, it's the principle that is involved. I see no reason why we should allow subsection (5) of section 4 to pass. Thank you, Mr. Chairman.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Chairman—

Mr. L. Maeck (Parry Sound): Going to speak against it here.

Mr. Lawlor: Come on, Mr. Minister. In this particular regard, I think that you should show a bit more enlightenment. I can't imagine why on earth the clause is in there. I'm sure you wouldn't dare, wouldn't presume, to appoint a member of this House to that body. I'd like to know really whether that's your intention. Did you embody it with a specific purpose in mind?

The only other place I've seen that particular section of legislation is in a thing like the Legal Aid Act, where members of the House who are members of the legal profession are permitted to take legal aid cases, otherwise they would be excluded. It is understood that a conflict of interest would be involved and they wouldn't have any role in a jurisdiction if they were not expressly permitted to do so.

So going to the length of embodying that and giving it explicit notice here in the section must mean that you have some kind of growling, glowing, underground intent to bring about such an appointment.

Now you've heard what has been said with respect to the numerous supernumerary use of fructuary, excessive jobs performed by people. I sometimes wonder if they perform these jobs after 7 o'clock at night. They must be sitting with the Ontario Northland Transportation Commission right at this moment.

I can see Jimmy Allan over there. His committee isn't sitting tonight—that's very nice—so he has arrived. Well, he's a very good member of the House anyhow and I'll bless him and leave him out of this. But those great, blank spaces over there, even when they are filled with great, blank faces over there—but I'm looking only at the spaces at the moment and not the faces.

Mr. Foulds: Where is the chairman of the Ontario Northland Transportation Commission?

Mr. Lawlor: But to think that any of those blank faces would be filling a role on this particular board or council quite bemuses the mind. I can't imagine that you have any real utilization to the section in order to foreclose the possibility of such an appointment. I would ask you, too, as a member of this House, to take it out. It serves no function.

Mr. Chairman: The hon. minister—I'm sorry, the hon. member for St. George.

Mrs. M. Campbell (St. George): Mr. Chairman, I will be quite brief. This section, if it weren't so serious, would be very amusing. I think one of the first steps this government took when I was elected to this House, and at a time when I was the only woman serving on arbitration, was to ensure that I would not be permitted even to sit on arbitrations which had nothing to do with this House at all.

It is interesting that you would be so concerned to ensure that you could find another job for a Tory backbencher who may have run out of jobs at this point. Surely you are learning something more than this, to present this kind of a clause to this House at this point in time. It is about time we stopped handing out these sorts of patronage jobs to backbenchers and let us get on with running the province without that kind of overtone in the administration of the affairs of this province. So, Mr. Chairman, I support the elimination of this clause at this time.

Mr. Chairman: Does the hon. minister wish to comment?

Hon. Mr. Irvine: Mr. Chairman, despite what the hon. members have said, we are not saying this "shall," we are saying this "may." I think there is an awful lot to be said about continuity between a board and the government; and if the government decides that it should have a member on that board to relate to the minister then I think that is a very good reason to have it included in the bill. If the government decides there should not be one there, then nothing happens; nothing really will upset the member for St. George or the member for Lakeshore or anybody else who is concerned about this being in there.

What we are saying is that as we go along with the development of the new city or new town, we have to determine how much relationship is necessary between the development corporation and the government. There is no way I'm going to exclude or preclude the fact that we may have to have political relationships between the board and ourselves. Let me read the section to you.

Mr. Lawlor: You know, you are getting to be quite a palaverer.

Hon. Mr. Irvine: You are saying they are going to get a salary, we are saying it is just a matter of being on the board, and the government may say that there is just an appointment to be there.

Mr. Lawlor: Your references are really something out of this world. Why didn't the government send you over to talk to the Arabs instead of Mr. White? You would have done a good job; all those neat twists and turns.

Hon. Mr. Irvine: The member for Lakeshore has the great ability of trying to—

Mr. Lawlor: You are getting quite adroit in your old age.

Hon. Mr. Irvine: —change the subject we are on. I would think the member for Lakeshore—you've been here for quite a while—should realize that really there is only one subject we are talking about now and that's four or five. If you would look at five—would you please?—and understand that it concerns the appointment of a member, an

MPP, to the board. There is nothing there about the Arabs or anything else; it is a matter of determining who should be there—

Mr. Lawlor: Why don't you appoint your mother-in-law, then you would be all right?

Hon. Mr. Irvine: —and I'm saying to you there may be a very good reason in time to have someone there.

Mr. Lawlor: Then you will have some liaison.

Mr. Foulds: Give us that good reason.

Hon. Mr. Irvine: So we are not going to exclude the fact that an MPP has the right to be on that board.

Mr. Chairman: The hon. member for St. George would like to ask a question of the minister and then we will proceed.

Mrs. Campbell: Mr. Chairman, as a result of the statement by the minister, would he be willing to incorporate in this section—since he obviously has no intention of withdrawing it—that any such member would serve without salary or any other perquisites with reference to the office?

Hon. Mr. Irvine: Well Mr. Chairman, that would be a matter that I suppose would be very difficult to decide right now.

Mrs. Campbell: Oh yes!

Hon. Mr. Irvine: In the last few hours we have heard statements by certain members of this Legislature whereby they will not reduce their salary or they will not take a reduction to show leadership.

Mrs. Campbell: Nobody has said that.

Hon. Mr. Irvine: What I'm saying is that if the government decides that it wants a member to be on that board, the government will say whether it will be with or without salary; and that's the government's decision. If we don't have the faith, which apparently the leader of the NDP hasn't, that we should show leadership, then it's too bad.

Mr. Ferrier: The member for Lambton (Mr. Henderson) isn't with you on this one. Neither is the member for Middlesex South (Mr. Eaton).

Hon. Mr. Irvine: I think it's time we have faith in the fact that the government of the day will decide whether it is necessary or not necessary to have an MPP on the board, with or without pay.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds. Mr. Chairman, the minister is being extremely provocative and extremely obtuse, if I may say so.

Mr. Chairman: Order, please. Before the hon. member—

Mr. Foulds: First of all, he says there may very well be a good reason—

Mr. Chairman: Before the hon. member continues, the Chair is having difficulty listening to the hon. member because of the extra conversations and comments from the other hon. members. Would you kindly give the hon. member for Port Arthur the courtesy of your attention at this time?

Mr. Lawlor: He is no better off than anybody else.

Mr. Foulds: I expect no special privileges in this House, Mr. Chairman.

Mr. Lawlor: That's right. Who do you think you are?

Mr. Foulds: The minister has said there may be a very good reason to appoint a member of the Legislature to this board. Would he care to divulge to us what that good reason might be?

Mr. F. Young (Yorkview): He is a Tory.

Hon. Mr. Irvine: Well, Mr. Chairman, first of all, it is pretty well determined right now that it's going to be a Conservative member, because of the actions of the opposition in the last few months. But in any event—

Mr. Ferrier: Who is it going to be? The member for Timiskaming (Mr. Havrot)?

Hon. Mr. Irvine: If it is necessary for this board — and I want to be very serious in speaking to the member for Port Arthur at this time — if it is decided that this board needs to have a very close relationship with the government, and I think it should have, doesn't it make some sense to have an MPP on the board to relate to what is actually happening and the board's actions from day to day, rather than reporting, as it says in the bill, every once in a while, maybe once a year or every six months?

I want to make sure, if I am the minister of the day, that I know what the development corporation is doing in the way of relating to the people in the area, in the way

of developing a plan which will be appropriate for the new town complex; I want to make sure that there are no i's that are not dotted, no t's that are not crossed, and that we have a full consultation with the people in general in the immediate area and the people in surrounding areas. That is why I think it is important to have a political appointment, which will be an MPP, to relate to the minister of the day—

Mrs. Campbell: We know it is there now in the plans.

Mr. J. R. Breithaupt (Kitchener): There is nobody left!

Hon. Mr. Irvine: —to make absolutely sure that the plan is one that the government is very much—

Mr. R. Haggerty (Welland South): Another $10,000-a-year job.

Mr. Breithaupt: It is asking a lot of the member for Prescott and Russell (Mr. Belanger).

Mr. Lawlor: Maybe you can give the Chairman of the Management Board (Mr. Winkler) something positive to do.

Hon. Mr. Irvine: —in favour of developing as quickly as possible, because we can run into many roadblocks if we want to. We could still have no plan in two or three years. That is what I worry about.

I want to see a plan developed as quickly as possible so that we have some housing and some commercial and industrial complexes built there. I don't see any other way of achieving that except what we have suggested here, where we relate to the people within the area and we relate directly to a government MPP, possibly on the board. Wait until we have the board formed up. Don't prejudge.

Mr. Lawlor: Too late.

Hon. Mr. Irvine: Don't prejudge.

Mr. Breithaupt: We are just looking at the track record.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: I am really flabbergasted, in all seriousness, by the minister's reply. I don't know whether he was being ironic or whether he was being serious when he said that the automatic appointment would be that of a Conservative backbencher. I imagine he was being serious. Certainly we don't expect one of—

Hon. Mr. Irvine: I certainly know that we are the ones who can be elected here.

Mr. Foulds: I want to point out to the hon. minister, in case he doesn't understand the legislative system, that members of this assembly are not responsible to the government, they are responsible to this assembly. And if he wants the connection, there happens to be a very grave and great distinction—maybe not in his authoritarian mind—but there happens to be. That is one point.

The second point is he expects this board to have a very close relationship to the government, and he expects it to be a political appointment.

Mrs. Campbell. That is right.

Mr. Foulds: Those are his words. In all seriousness, Mr. Minister, I don't want to wrench them out of context, but those words should be haunting him at this very moment and they should come back to haunt him time and time again.

Hon. Mr. Irvine: Just a minute until you understand what you are talking about.

Mr. Foulds: And thirdly, he mentioned—

Hon. Mr. Irvine: It is all right for him to stand over there. He hasn't listened to the debate. He doesn't know what's going on.

Mr. Foulds: I happened to be in this chamber during the entire portion of the debate on the clause by clause.

Hon. Mr. Irvine: Was he here when it was introduced to the House?

Mr. Foulds: I was here and I read the minister's statement on the introduction to the bill.

Hon. Mr. Irvine: The member's contribution was not too much.

Mrs. Campbell: Well he listened to what was said now. Did the minister?

Mr. Foulds: Mr. Chairman, you might inform the minister that the whole purpose of the committee stage of legislation is to probe just this kind of specific in legislation. And that is what we are doing right now.

The third point that arises in my current onslaught is the minister's reference to economy and some slight references about how we could save—what is the grand total?—

$52,000 in the grandiose pyrotechnics that were floated by the management board last week.

Mrs. Campbell: If they do more.

Mr. Foulds: We are not quite sure whether we are going to accept that in principle or in reality yet. In fact, you could save a helluva lot more, Mr. Chairman, if you abolished every one of the per diems, every one of the yearly rates that you pay to the backbench Tories for the commissions, boards and so on. I mean, just take away John Root's extra emoluments and you would save the Premier's salary for goodness' sake.

Mrs. Campbell: That's right.

Mr. Foulds: There was, at one point in the history of this chamber—

Mr. C. E. McIlveen (Oshawa): That's one foot, put your other foot into it.

Mr. Foulds: —only one Conservative backbencher who didn't have an additional appointment. I wonder who that man is today? I mean with the additional appointments to parliamentary secretaries the additional expansion to the cabinet; my God, I look around and I don't know who you are going to get. Is it Albert Belanger again? Has he been overlooked?

Mr. Chairman: Order please. I am wondering if the—

Mr. Foulds: I really am quite serious, Mr. Chairman.

Mr. Chairman: Order please. I am wondering if the hon. member would refer to the other hon. member as—

Mr. Foulds: Oh, the hon. member for Prescott and Russell.

Mr. Chairman: That's correct.

Mr. Foulds: I apologize. Is it going to be that poor benighted member for Prescott and Russell, who was overlooked some three years ago. Has he been overlooked again this year and that's why they are putting this in?

Interjection by an hon. member.

Mr. Foulds: I doubt it, because very seriously, Mr. Chairman, I think this is typical of the kind of thinking that is imbedded in the psyche of this government. They are so used to this kind of political appointment that they cannot bring themselves to see that it is damaging to their reputation as a government; it is damaging to our reputation as legislators; and it is damaging to the reputation of the proposed development corporation.

I suggest in all seriousness that the minister must consider the suggestion I put forward. At least if he doesn't do that, Mr. Chairman, then he should agree that it not receive any additional remuneration.

Mr. Lawlor: It's part of his collective subconscious, I suspect.

Mr. Foulds: If all of those public-minded backbench Conservatives want to serve by taking on the added heavy burden of responsibility on additional commissions and boards, let them do it for free, Mr. Chairman.

Hon. Mr. Irvine: Mr. Chairman, I want to clarify one point that the hon. member has made. We are talking about subsection 5 of 4.

Mr. Foulds: We are talking about subsection 5 of section 4.

Hon. Mr. Irvine: Of section 4, right?

Mr. Foulds: Right.

Hon. Mr. Irvine: Now that is a member of the Legislature. That's why I said it's a political appointment. I am not talking about someone outside the Legislature. I am talking about the people who are MPPs—

Mr. Foulds: So am I.

Mrs. Campbell: So are we.

Hon. Mr. Irvine: —and I hope that you are too, but you seem to leave a little bit of doubt in my mind. I think it's about time we clarified the fact that we are talking about members who relate directly to the minister in regard to a very serious and certainly a very complicated matter when we are talking about the building of a new town or new city.

Mrs. Campbell: Without accountability to the House.

Hon. Mr. Irvine: I am saying to you, in all fairness to what you have said, that I really believe that if there is a necessity for a relationship to be maintained between the government and the corporation, then that clause has to be left in. Whether with or without salary will be determined by the government of the day, and that's what I meant when I made my remarks before.

If I haven't explained it as well as I should have, I am sorry. That is my feeling in any event, and that's the way it will have to stand as far as I am concerned, whoever the government may—and I expect, as I said before, that it will be a Conservative appointment; I hope you don't take exception to that fact. Apparently you did.

The clause will stand, Mr. Chairman, as it is. I think it's very important it's left there.

Mr. Foulds: It went right over his head.

Mr. Chairman: Shall section 5—

Mr. J. A. Renwick (Riverdale): Mr. Chairman, I don't want to prolong this debate; obviously the minister is adamant about it.

I want to draw to his attention, however, what the provision of the Bank of Canada Act is in respect of the disqualification of directors. I commend it because the Bank of Canada and the government of Canada have a very close relationship—an extremely close relationship—through the Minister of Finance and the governor of the Bank of Canada. It doesn't alter the fact that there is a total disqualification from anyone in the public service or anyone holding an office or place of employment under the Crown from being a director of the Bank of Canada. Indeed the Bank of Canada Act contains the provision somewhat similar to the provision later on in this bill that if there's any difference of opinion between the Minister of Finance and the governor of the Bank of Canada that the governor of the Bank of Canada will comply with the direction of the Minister of Finance on behalf of the government.

So the relationship is extremely close. The responsibilities are discharged by the government and by the Bank of Canada in very close harmony ever since the days of Governor Coyne, and there is the backstop or safeguard provision to make sure that the Bank of Canada does comply with the policy decisions of the government of Canada. But that doesn't mean to say that they must have boards of directors which are in any sense composed of persons who comprise either the government or membership in the House of Commons or indeed in the Senate of Canada, that those persons should be permitted to be directors of the Bank of Canada.

I quote the specific disqualification provision contained in section 10 of the Bank of Canada Act, chapter B(2) of the Revised Statutes of Canada. Chapter 13, section 10, subsection 2:

> No person is eligible to be appointed or to continue as a director who
>
> (a) is not a Canadian citizen ordinarily resident in Canada,
>
> (b) [and this is the important disqualification] is employed in any capacity in the public service of Canada or of any province of Canada or holds any office or position for which any salary or other remuneration is payable out of public money, except that a director may perform temporary services for the government of Canada or any province for which he may be reimbursed actual living and travelling expenses.

Which is a very useful and necessary exception. But I would suggest to the minister that there is a very real need to get away from the conception that the government of Ontario has that every corporation which they incorporate must have the clause which in a reverse way permits a member of the assembly to be a member of the board of directors and on the other hand does not disqualify him from sitting in this assembly.

The arguments have been made and the minister is adamant. I happen to think that the close relationship which is necessary between a corporation such as this and the policy ministries of the government is best exercised through the relationships of the responsible minister with the responsible head of this corporation, and with the safeguard provision which permits a direction to be given to the responsible head of the corporation if the actions of the corporation are not in line with the policies of the government.

I commend it for the minister's consideration. We're obviously not going to change it tonight, but one of these days the government would be well advised to adopt a similar disqualification provision as that referred to in the Bank of Canada Act which I've read into the record.

Hon. Mr. Irvine: Mr. Chairman, I respect very much the views expressed by the hon. member for Riverdale. All I can say is that at the present time I'd like to leave this section in. If the government decides at a later date that the section is not necessary, I would be only too happy to move the amendment.

Mr. Chairman: All those in favour of subsection (5) of section 4 forming part of the bill, please say "aye."

All those opposed please say "nay."

In my opinion, the "ayes" have it.

Subsection (5) will remain.

Anything further on section 4?

Mr. Renwick: Mr. Chairman, one comment, if I may, on section 4.

Mr. Chairman: What part?

Mr. Renwick: Just section 4 generally, Mr. Chairman. This whole question of the appointment of a board of directors of these corporations, the pat language which always appears in them, deserves serious consideration by the government. I mentioned the one point with respect to the Bank of Canada Act and I want to mention the other clause.

In the selection of directors of the Bank of Canada the clause which is subsection 1 of section 10 states:

> The directors shall be selected from diversified occupations, but no person is eligible for appointment who is a director, partner, officer or employee of any of the following financial institutions: Namely, a chartered bank, an investment dealer that acts as a primary distributor of new government of Canada securities . . .

and so on. Any person appointed as a director who is a shareholder of any such financial institution is required to divest himself of his holdings within a period of time or cease to be a director.

The analogy again is very appropriate in a bill such as this. Where we're dealing with a sensitive topic, although relatively inert, such as land in the Province of Ontario, it would appear to me to be advisable for the government not to appoint any persons who are directly themselves interested, by way of shareholding or otherwise, in the kinds of corporations whose business is the ownership and development and exploitation of land in the province. It seems to me to make sense that we should not get involved in peopling the board of directors of this kind of a corporation, at least to some extent, with people from the development industry.

I don't think for one single moment the expertise and the knowledge are not otherwise available to the corporation, but there should not be any overlapping, and indeed there should be a disqualification from appointment of any person who is engaged in the land development business in the province.

Hon. Mr. Irvine: Mr. Chairman, I have no other comment to make, except to say that I think the hon. member has brought forward a very valid point and one which will be considered at the time of the appointment.

Mr. Chairman: Shall section 4 stand as part of the bill?

Section 4 agreed to.

On section 5.

Mr. Renwick: Mr. Chairman, on section 5 I am simply going to say that while this clause may or may not be adequate for the purpose of the requirement that a director disclose his interest in any transaction into which the corporation is entering. I think from the point of view of this kind of corporation where there will be dealings between the corporation in its capacity as a representative of the Crown and other bodies who may be interested in land development, the clause shall be strictly construed.

I don't think that there should be the exclusion in the first part of section 5, in subsection 1, which refers to "other than a contract or transaction in which his interest is limited solely to his remuneration as a director, officer or employee." That shouldn't be in the clause. There should be a strict liability on the directors of this corporation.

We should not be involved in the very elusive word "material" which appears in subsection 2 and I quote subsection 2: "Subsection 1 does not require the disclosure of any interest in any contract or transaction unless the interest in, and the contract or transaction are both material."

"Material" is a very elusive and difficult word. I think that subsection 2 has no place in the strict liability of the disclosure of interest to avoid conflict of interest, where the government is concerned and one of its agencies is concerned and where the directors of that agency are concerned.

Thirdly, I think there should be a specific requirement, a specific stricture, upon the director that not only must he disclose his interest and the nature of his interest and refrain from voting, but he should be required to refrain from any participation in the discussion of the board of directors which leads to any decision being made. Indeed, as I believe is the case in most of the chartered banks in Canada at the present time, any director who is so interested is required to absent himself from the meeting during the portion of the time when that transaction is up for consideration, in addition to disclosing his interest and refraining from voting.

A clause such as this, having been taken over from the Business Corporations Act, appears in many statutes where the government is setting up an agency of the Crown, in the manner of this particular corporation, to transact or perform a particular function on behalf of the government.

In substance, therefore, I simply say that the clause should not have any of the exclusions in it which are presently provided in the Business Corporations Act, and to which I have referred; that in addition to the requirement that the director refrain from voting and that he disclose his interest, the director should refrain fom participating in any discussion with respect to the approval or otherwise of that transaction; and if necessary, the further step should be taken that he should be required to absent himself from that portion of the meeting during which the deliberations on the contract are taking place.

In this day and age and with the conflict-of-interest question uppermost in persons' minds, it would seem to me not to be beyond the wit of the advisers of the government, and the persons who draft the legislation on behalf of the government, to make certain that the conflict-of-interest clauses are very clear, very strict—indeed make certain that the utmost distance is maintained between any director who has an interest in a contract in which the particular corporation of which he is a director is involved. And to make certain that that sense of distance not only does, in fact, exist but appears in reality to exist by those who are observing the decision-making processes of such a corporation.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: Mr. Chairman, a couple of points may be criss-crossing or paralleling something my colleague has just said. Suppose a director does act contrary to the very wording of the statute on a literal construction, what flows from that? Is there a penalty or sanction invoked with respect to that director within the ambit of the legislation itself? That is my first surmising question.

The second thing is that in subclause 1 you set up the conflict section and then you carve out an exemption and you say, "other than a contract or transaction in which his interest is limited solely to his remuneration as a director, officer or employee."

I think we understand what that means. Nevertheless, isn't it possible that at least part of his remuneration might be some gratuity or some benefit or some kind of commission or some kind of monetary benefit that would flow from his participation? If that were the case, if any part of that remuneration occurred, then he's okay and he's exempted from the provisions of this statute. I'm sure that runs directly contrary to what you're trying to bring about. I think that bit of elbow room you're trying to work into the statute on the remuneration aspect ought to be gravely considered and perhaps deleted.

In other words, what I'm saying is that this conflict matter must be strictly construed. It must be given its full amplitude. You must be very careful indeed about what exemptions you seek to make in this regard, because they will be availed of the minute you do so by those so engaged, or could possibly be, thus defeating the terms of your own legislation. There mustn't be a whisk of question left in this conflict issue. You mustn't give any encouragement, so to speak, to preserve a conflict within the ambit of the legislation, loosely worded as it is.

The second thing I would like to refer to is what my colleague has said about the word "material." We've had, in the committee downstairs, in the committee having to do with legal affairs, the word "material" inserted in numerous documents and there has been a fairly omnipresent feeling by all sides of this House and by everyone sitting here that we've taken it out almost invariably because it's a weasel word.

It's a weasel for two reasons. In order to construe it you sometimes, and very often, have to go to a court. We haven't given to judges, and we never do, curiously, from the terms of the legislation, any criteria from which you may judge materiality; he has to pluck the oranges right off the tree.

We don't know whether they're tangerines or oranges when we're writing it out here, but the fact is that we expect the judiciary to do what we are unable to do, or at least aren't disposed to do in the process of writing out the legislation. I think it is a great mistake to insert the word "material" therefore, either as encouraging unnecessary litigation on one side of the fence.

If you're going to supply the term, then give some indication of what you mean by the word; because whatever a man does in those circumstances, almost by subjective reference, he wouldn't consider "material." Yet other people very well might consider that the most material of circumstances. The word has too great a flexibility and too much subjectivity written into it to permit it to stand in objective legislation, as I trust you hope your legislation is as the thing presently

stands. I would ask you to reconsider those various matters in the course of putting this legislation through.

Mr. Chairman: Are there any further comments on section 5?

Section 5 agreed to.

On section 6:

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: I just have one small point. In section 6 everybody has to stand up and place their hands over their heart and, Boy Scout-like, say: "I'll never whisper a word of what goes on here without conferring with the minister first." Everything must be done secretly, in camera, under the lotus bush, so to speak. Never let the day dawn when anybody in the general public just might know what's going on with respect to North Pickering or any other place in the province for that matter.

That being the case, I want you to tell me what something means. In the second paragraph of the oath that you take before you enter heaven, the Valhalla of the Tories, it reads as follows: "I further solemnly swear or affirm that I will not communicate or allow to be communicated." I believe this is in case one of your colleagues said: "I can't hold myself back. I'm going to run to those New Democratic Party fellows and whisper in their ear." That we're then going to torpedo the whole plan. He'll then have to strangle that NDP member on the spot; or at least place him under some kind of suffocation.

Then it says, "or allow to be communicated to any person not legally entitled thereto." That intrigued me, that "not legally." Are we legally entitled to know or not; that's my question? I feel perfectly legally entitled, I've got the legal qualifications to know. I avail myself, my ears are all open, I stand ready to receive. Are the members of this House legally entitled to know?

Hon. Mr. Irvine: Mr. Chairman, they certainly are. Under section 29 I think you'll see where the Provincial Auditor will make a report to the House and it will be tabled.

Mr. Lawlor: Oh no, I meant from day to day.

Hon. Mr. Irvine: From day to day? What would you like to know? Would the member for Lakeshore want to know all the very minor details that go on from day to day in any transaction of any corporation? I'm sure he wouldn't.

Mr. Lawlor: We just might like to know what is going on in North Pickering. Are we entitled to know or not?

Hon. Mr. Irvine: I think the member for Lakeshore is referring to a matter which is not very relevant in this case. We are talking about the development corporation having its annual report tabled in the House. It will be subject to your scrutiny—and very close scrutiny I'm sure by yourself. Therefore I don't see there is any problem in that case.

Mr. Lawlor: You know, it is great to be a member of the government, to be a minister over there, with lord high sufficiency over the whole universe type of thing, and say that when all the cattle are out of the barn and the door is closed and the place is burned down, and the opposition receives a report saying that everything is in a highly incendiary state, we don't have to worry about it.

Come off it, we want to know as it goes on. We want to know what the subdivision is going to be, and are there going to be services installed there?

There are going to be very well determined and laid-out plans put forth here. Some of us particularly interested in the housing market want to know the state of advance and the state of costs, but not after it is all over and the report is submitted here, or somewhere midway between but after everything has been decided. We are not the affirmers of faits accompli over here. We want to have an ongoing relationship. It is our job; it is what we've been elected to do. And you come prating and telling us, "Oh, you will get a report some afternoon." Isn't that great?

Hon. Mr. Irvine: Don't get worked up unnecessarily. We are talking about two different things. The development corporation operates in the same manner as any other developer, any other private individual who wants to have a piece of land developed. There is nothing unusual about the development corporation.

Mr. Lawlor: It is a public body; it is using public funds.

Hon. Mr. Irvine: It goes through the Planning Act. It has a subdivision approved or not approved. It has it amended, as may be.

Mr. Lawlor: It's quite different from a private corporation.

Hon. Mr. Irvine: You, as the member for Lakeshore, would have full knowledge of what is going on from day to day if you wish to. But what else can you expect when it is going through the Planning Act? It is very common knowledge. If you want to be acquainted with what is happening in North Pickering it is up to you to make yourself aware of the individual transactions that go on from day to day.

Mr. Lawlor: All right, we will speak to the board of directors and find out. If they say, "No, you are not entitled to know this," I will say, "Read Hansard of a certain evening in January, 1975."

Hon. Mr. Irvine: Just look at the individual transactions.

Mr. Lawlor: Okay, we will see.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: Perhaps I could pass until the next section.

Section 6 agreed to.

On section 7:

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, this must be equally tiresome for the minister as it is for us. There seems to be no capacity in the government, despite the fact that they have got expertise in the companies branch of the Ministry of Consumer and Commercial Relations, to have up-to-date clauses inserted in a bill such as this.

Here we have an indemnification clause relating to the directors. We don't have imported into this bill the standard-of-care clause which has been a matter of immense discussion with respect to the standard of care and the duty and responsibility of the directors of a business corporation. We import the conflict-of-interest provision but not the standard-of-care provision. We don't import the limitation which has been imposed upon the indemnification clause.

I simply point out to the minister that this is an obligatory indemnification of each director and each officer regardless of what he does, even if he acts in bad faith. The normal clause now at least protects him and indemnifies him against any

> . . . costs, charges and expenses that he sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him for or in respect of any act, deed, matter or other thing, made, done or permitted by him in or about the execution of the duties of his office.

At least they must be matters which he has done in good faith. This clause is an obligatory clause to indemnify him regardless of any act of his, done in good faith or in bad faith.

It has to be done by him. He's not indemnified if it's alleged he's done something but not proved. The clause is deficient. And I cannot understand why we are presented time and again with bits and pieces of corporation law introduced into these special private government bills setting up these special corporations. There is no uniformity. There is no up-to-date draftsmanship involved in them. They are just simply deficient and we are expected to stand up each time and draw the attention of the ministry to those deficiencies.

Mr. Lawlor: Just one word in continuity of that point. The select committee of this Legislature on corporations and the Business Corporations Act that came out of the recommendations of that committee four or five years ago went to great trouble to set out in precise terms what exactly was involved with indemnification procedures.

It's perfectly legitimate to indemnify. It's perfectly legitimate for them to insure themselves against loss. But the fact of the matter is that you don't give it to them carte blanche. If they act in bad faith, if there is what is called malfeasance involved in the situation, then why should they be indemnified? They have acted contrary to their oath of office. And yet they are covered completely.

The clauses have been selected carefully after much debate. They were worked out in the Business Corporations Act and we are embodying them in other statutes as we go along. We are dealing with this in trust corporations at the present time. We want to set a standard of integrity in the business community that will be adhered to right across the board of directors—and which the directors find completely palatable.

We don't get objections that we are setting the standard too high or anything. They know what terms of honesty and integrity must be exercised in order to win respect. And yet you come with a section that is cast in this particular way. It kind of gives a sanction to them in advance to do what-

ever the blazes they please and suffering no consequences therefrom.

Hon. Mr. Irvine: Mr. Chairman, not having the same knowledge of the legal profession as my colleagues, the members for Riverdale and Lakeshore, I would like to say that I would hope all of the board might be in good faith at all times. I have no objection whatsoever in putting in the words "in good faith." It seems to me that is something which would be necessary to have.

Mr. Chairman: Shall section 7 carry?

Mr. Lawlor: Well, I understand he is quite prepared, Mr. Chairman, to insert the words "in good faith" in the section. This at least safeguards some interests in the province.

Mr. Chairman: Where do you want to insert it?

Mr. Renwick: Before the word "made" in the 6th line.

Mr. Chairman: Would you like to write a resolution and present it to me?

Mr. Lawlor: It is before the word "made" in the sixth line, as my colleague points out.

Mr. Renwick moves that the words "in good faith" be inserted before the word "made" in the seventh line in section 7 of Bill 181.

Mr. Chairman: Shall the motion carry?

Motion agreed to.

Section 7 agreed to.

Mr. Chairman: Has anyone got any comments before section 15 of the bill?

Mr. Renwick: Section 13, Mr. Chairman.

Sections 8 to 12, inclusive, agreed to.

Mr. Chairman: Section 13, the hon. member for Riverdale.

On section 13:

Mr. Renwick: As I understand it the answer to my first question is that obviously no land has been transferred to the Ontario Land Corp. at the present time because it is not in being yet. Having answered the first question, I'll do my best to pose the second one and answer it as well. What land is going to be transferred to this particular corporation from the Ontario Land Corp., should the Ontario Land Corp. bill pass this assembly?

Hon. Mr. Irvine: Mr. Chairman, should the Ontario Land Corp. bill pass this session or the next session, or whatever time it is in operation, the Ontario Land Corp. will, as I perceive it, be in control of all the lands. If certain lands are required by the North Pickering Development Corp. they will be transferred from the Ontario Land Corp. to the North Pickering corporation and it would be a debt which would have to be paid by the North Pickering corporation to the Ontario Land Corp. upon development.

Mr. Renwick: Of the land that will be designated for inclusion in the North Pickering planning area, how much of that land is now owned by the province?

Hon. Mr. Irvine: Mr. Chairman, as the North Pickering planning area has not been designated as of this date, I cannot answer the question definitively, but I would say that when it is designated it will all be owned by the province.

Mr. Chairman: Does any member wish to comment before section 33 of the bill?

Mr. Young: Section 19—I am sorry, section 22.

Sections 13 to 21, inclusive, agreed to.

Mr. Chairman: Section 22 of the bill. The hon. member for Yorkview.

On section 22:

Mr. Young: On (d), I want to ask the minister in connection with this phrase, "acquire, hold, manage, lease, demolish, alter, improve and dispose of land and other property"; just how much land does the minister envisage will be disposed of by the corporation? I ask the question — I suppose this is where we differ fundamentally in philosophy—I ask the minister this because to me it seems that once the land is acquired by the corporation, that land should be held in perpetuity by the corporation as an asset for that corporation.

As one looks at the new towns in Europe, in Britain, one sees corporations of this kind set up there; they do the planning and the developing. The development is done very often by private contractors who may do the building and the putting in of the streets, the services, the shops, the centres, and the homes, but the ownership remains in the hands of the corporation. In the new Coventry, for example, where this was done, in the city centre, all the shops are owned by the corporation. They are rented to private entrepreneurs; they pay the rent, but that rent

gradually retires the debt on those properties and then from that point on, except for the expenses, the income goes into the coffers of the corporation. In this way the people of the community benefit very greatly.

In the new towns that are now being developed the attitude of the corporation there is that since we hold the land, and since the land and the buildings and the centres are assets, if we need to borrow in the capital market in the future, this is an asset against which we can borrow. All this adds up to a social asset—social capital which is held in perpetuity for the people who may be living in that particular community, or an asset on the part of the larger municipality or regional or provincial government.

It just seems to me that this makes sense here and I am wondering what the minister does envisage about this disposal of land; whether he is going to sell the land off, whether the corporation will sell that land to private enterprisers who will build and then sell to private owners of the homes, or when it comes to shopping centres there will they sell it off to entrepreneurs who will build the shopping centres and then charge the rent and own the assets?

There's a difference of philosophy here, which of course is one of the reasons why we in this party are not too enthusiastic about the bill. Perhaps the minister could enlighten us to just what he plans in this matter of disposal of land.

Hon. Mr. Irvine: Mr. Chairman, I would be pleased to give my views on the particular matter that the member for Yorkview has brought forward in regard to leasing or selling lands. I had the opportunity to visit some new towns, new cities, in England and Scotland this year and the particular philosophy over there at the time was to lease lands only. Before that, they were selling.

I would think, Mr. Chairman, that the corporation would consider very carefully the possibility of doing both, whereby you might enter into long leases on commercial or industrial development and you would probably have to enter into sale of property for residential development. I haven't any fixed views on it at this time. I would think this is a matter which would come forward at a later date, once we have started into the implementation of the plan. But there is, in my opinion, considerable merit in the province holding on to the title of certain lands and I think this will probably be done; my philosophy might come through in the future.

Mr. Young: Mr. Chairman, I am delighted to hear the minister come that far. This is a change in general philosophy and it's a welcome one, but it just seems to me that land is being looked upon now in our society as more and more of a public utility. That is, it's something which, once it has passed out of the public hands and into private hands and increases in value, if we ever want it again, of course, we have to acquire it again at greatly enhanced values.

We have learned over the years that it is not the best policy, once having obtained the ownership of land to have it alienated from the public domain into private hands again. The assets should be maintained for public purposes and if the land, the land at least, in an area such as North Pickering could be retained, then there is the asset there and the increased value of that land and it will increase—perhaps we would never sell it, so we would never realize on it—but it is an asset which is there and can be realized upon for credit purposes, for all kinds of purposes; for planning purposes in particular, because it may well be that in 10, 15, or 20 years redevelopment may come and we will want to plan again because of changed circumstances and rebuild and redesign. If we have the land then the public authority can do that without a great deal of difficulty. So it just seems to me it makes common sense that the land at least—and I could go farther than that, of course, and say the facilities on the land—should be held in the public domain.

Mr. Chairman: Does section 22 carry?

Section 22 agreed to.

Mr. Chairman: Does any other hon. member wish to speak or comment on any part of the bill before section 33?

Mr. Renwick: Section 27, Mr. Chairman.

Sections 23 to 26, inclusive, agreed to.

On section 27:

Mr. Renwick: Mr. Chairman, my only comment is on section 27, and it is to support and affirm what my colleague, the member for Yorkview, has stated in his remarks related to the particular subclause that he referred to in section 22; because section 27, of course, is the omnibus power given to the corporation to "dispose of its land, property, assets, undertaking or any part thereof, to any person, municipality, government agency

or authority" and that is wide open in its terminology. It's not limited to disposing of it for the purposes of the implementation of the plan.

One could perhaps understand that if one were able to sell, lease or otherwise dispose of the land for the purposes of the implementation of the plan, but this is a clause which is an omnibus power given to the corporation to dispose of everything which they have. I certainly reiterate and support, and this caucus certainly supports, the point made by my colleague, the hon. member for Yorkview, on section 22 and the identical point at that time.

Mr. Chairman: Any further comments? Shall all other sections of the bill carry?

Mr. Renwick: Section 32, Mr. Chairman.

Sections 27 to 31, inclusive, agreed to.

On section 32:

Mr. Renwick: Has the minister any idea when he expects this particular Act to come into force, the corporation to come into being, the directors of the corporation to be appointed, and the corporation to engage in the activities which it is presently being authorized to engage in?

Mr. Singer: When Shouldice is available.

Hon. Mr. Irvine: Mr. Chairman, I haven't got a set date. I must say to the hon. member for Riverdale that I do not have a date as to when the board will come into being. We haven't got any names; I would welcome suggestions, as I mentioned before—

Mr. Renwick: Will it be this year?

Hon. Mr. Irvine: Oh, yes. Definitely. As I say, I haven't any firm date. I thought you were asking for a specific date.

Mr. Renwick: Then what would the target be? This summer?

Hon. Mr. Irvine: I hope that it will be this spring or early summer.

Section 32 agreed to.

Mr. Chairman: Shall the bill be reported?

Bill 181, as amended, reported.

Hon. Mr. Winkler moves that the committee rise and report one bill with a certain amendment and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with a certain amendment and asks for leave to sit again.

Report agreed to.

NOTICE OF MOTION

Clerk of the House: Notice of motion provided by the terms of reference of the electoral boundaries commission dated Dec. 5, 1973, standing in the names of Mr. MacDonald, Mr. Renwick and others.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, before this debate commences might I inquire as to the method in which you intend to handle the debate? It's my understanding that two groups of members, as is shown on the notice paper, have requested that a debate take place. One would have presumed that one debate would have been the manner in which this might be handled. I understand, however, that it is the intention to have a debate with respect to the first motion, interspersed with other members who might wish to enter, followed by the debate proposed by the second group of members.

Perhaps we could have some guidance and could be advised if, for example, we are to rotate the speakers in the normal pattern or whatever; then, of course, we would be able to proceed with allowing any member the opportunity to enter into this discussion.

Mr. D. C. MacDonald (York South): Mr. Speaker, if I may just add to the observations of the House leader of the Liberal Party, I think he's got a point because inevitably, if one has two debates it is going to be difficult not to be repeating at least some of the substance of the debates. I think they can be integrated, but I don't hold any very strong feelings one way or the other, except to warn you in advance I think you're going to have a very great problem in avoiding repetition in the second debate.

Mr. Speaker: The hon. House leader.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I don't wish to speak at length on the matter before you, but it seems to me that the reason I would desire it called this way is that the subject matter of the resolutions is substantially different, and I think that people wishing

to enter either one will address themselves to those questions. I expect there will be no repetition, and it may be wise if we deal with one and dispose of it, then deal with the second in that order.

Mr. Speaker: Mr. Speaker has no alternative but to accept it as it is called. So we will proceed with the first resolution that stands under the name of the 10 eminent gentlemen there. Certainly anyone may speak to this one as anyone may speak to the second one. Since they are different debates in effect, there is going to be repetition in the two debates, but they are different debates, so it can't be helped. Who is speaking first? The member for York South?

Mr. MacDonald: Mr. Speaker, I think it is rather interesting that there have been two motions presented here. I suspect there is something of a different thrust between the approach contained in the first motion and the second one, though there is a great deal of common ground. Quite frankly, I want to emphasize that common ground, because I think one of the purposes of this debate is to attempt to give some guidance to posterity, namely, 10 years hence anyway, when they give some consideration to the establishment of another boundaries commission so that when it is finished its work there won't be as widespread dissatisfaction with its work as undoubtedly exists at the present time.

There has been a great deal of discussion with regard to the first report of the electoral boundaries commission. I sometimes had the impression that most of it was coming from this party. Quite frankly, I regretted that because I don't think this should be a partisan matter, but in our view there was such a serious departure from the application of the guidelines that it seemed to me that the objectives of the redistribution were being lost sight of. Perhaps I can provoke a little bit of give and take between my colleagues to the right, both ideologically and otherwise, in the Liberal Party.

As I understand their argument, having listened to it being presented by some of the spokesmen, it was that we had unanimously adopted these guidelines and, therefore, we are in effect stuck with them and should not be critical of an independent commission. Well, we didn't quite unanimously adopt them; at least we adopted them unanimously but with some qualifications, namely, pointing to the unnecessary tolerance that was being granted in the 25 per cent deviation that might be made up and down from the provincial quota. But my chief objection, as I hope to detail a little bit, is going to be in what I would describe as the perverse application of those guidelines.

Before I get to that, let me try to put this into historical perspective, Mr. Speaker. In my nearly 20 years around this Ontario Legislature I think I have seen the pattern of redistribution procedures run the gamut, at least as far as we have gone now.

In the mid-1950s we were operating on the old style. It was something to behold, or something to weep at as you beheld it, because a committee of the Legislature, with obvious conflict of interest between those who were involved and the objectives of their whole effort, would be engaged in attempting to redraw the boundaries in accordance with the last decennial census. They would be something less than human if they didn't take into consideration their own interest in their own constituencies or those of their neighbours or colleagues in their own particular party, so much so that we recognized that we had to move toward an independent commission.

We moved toward one in which we made our first mistake, and tragically we repeated that mistake 10 years later, in not clarifying the guidelines so that they were not capable of such sharply different interpretation. In the instance of the guidelines that were laid down for the redistribution in the early 1960s, they were really so broad that one could drive a horse and six through without any difficulty at all. There were three kinds of constituences: the urban constituency of 60,000 to 70,000; the mixed constituency of 50,000 to 60,000; and the rural constituency of under 50,000. Some of those under 50,000 went down to retaining pocket boroughs like that of Charlie MacNaughton up in Huron with 32,000 population, and there was no excuse or defence for it at all. There were others indeed much less than even the 32,000 where there might have been some more excuse if you take a widely scattered northern constituency. Sorry?

Mr. M. Gaunt (Huron-Bruce): I hope the member doesn't extend those pocket boroughs to Huron and Huron-Bruce.

Mr. J. M. Turner (Peterborough): They'd never do that.

Mr. J. F. Foulds (Port Arthur): Just to the hon. member thereof.

Mr. MacDonald: The result was that coming out of that independent exercise we

had constituencies which ranged anywhere from population figures in the 20,000 category to constituencies that were in the 70,000 and, indeed, in a very few number of years, went up to 80,000, 90,000 or 100,000. Indeed, I think my hon. friend from York Mills (Mr. Bales) on the other side of the House ultimately ended up with a constituency of about 130,000 or 140,000 people—really a ludicrous violation of the basic principle of representation by population.

This time I thought we had moved in the direction of a much more sensible set of guidelines. Just so that we can have them before us and for those who read the record in terms of Hansard, let me put those guidelines on the record again.

There were eight of them; namely, that the purpose of the redistribution shall take into account:

> 1. the community or diversity of interests; 2. the means of communication; 3. topographical features; 4. population trends; 5. the varying conditions and requirements regarding representation as between urban and rural electoral districts; 6. existing boundaries of municipalities or wards; 7. the existing and traditional boundaries of electoral districts; 8. special geographic considerations, including in particular the sparsity, density or relative rate of growth of population in the various regions of the province, the accessibility of such regions or their rate, size or shape thereof.

There were the eight guidelines, Mr. Speaker, and I submit to you that the real import of those guidelines was to list them and then to take account of what followed: "And subject thereto, the population quota for each electoral district shall be based on the average population."

That surely is the determining part of the guidelines, subject to and with some qualifications from those eight guidelines, that the real imperative should be that you should stick as closely as possible to the average quota for the constituencies in the north or in the southern part of the province.

However, they snuck in a further one and in retrospect I would concede to anybody readily that we should have fought this and attempted to have it eliminated altogether. That was the further qualification that you could have a deviation from that quota of 25 per cent above or 25 per cent below and under certain conditions you could even go beyond that.

In retrospect that was making nonsense of guidelines. I hope for those who are going to be sharing in the shaping of guidelines some 10 years hence following the 1981 decennial census that they will make dead certain that that kind of barn door isn't left for somebody to start driving the horses through, because that is precisely what has happened.

I repeat, my chief objection to it is not to the guidelines which, if I may say so as kindly as I can, if they'd been intelligently applied, if they'd been applied in a balanced way, could have come up with a good result. But they were perversely applied, and in my view the greatest perversion comes in ignoring what should have been the main guideline, mainly population trends as opposed to historic boundaries of the riding.

What is the point of respecting historic boundaries? You know, God rest his soul, that sounds like an echo from Leslie Frost. He was always talking about respect for the historic boundaries of the province, but if you're going to respect the historic boundaries of the province there's no point in redistribution at all. If you give 100 per cent respect to historic boundaries you'll not redistribute any riding at all.

On some occasions that may be something of consideration, but what happened in this commission was that there were certain historic boundaries, and most of them—the great majority of them—happened to be in eastern Ontario where the government has a greater collection of Tory pocket boroughs than anywhere else in the world. It got not only to a 25 per cent tolerance below the provincial quota, but they went beyond the 25 per cent tolerance and there is absolutely no justification for that at all.

I've heard arguments that are made in general that there has to be a certain flexibility. I'm open minded on flexibility. That's why I accepted, without any hesitancy at all, separating off northern Ontario from southern Ontario, because there is a real problem in geography in northern Ontario and we said we are not going to cut down the constituencies in northern Ontario. But the proposition that the government should retain constituencies in southern Ontario where we've got the kind of travel facilities that we've got in southern Ontario, and other means of communication, below a 25 per cent deviation from the provincial quota, I submit to you once again, Mr. Speaker, is completely without justification.

Mr. R. S. Smith (Nipissing): It doesn't mean the government shouldn't change it within northern Ontario.

Mr. MacDonald: I was going to come back to that. There is a classic example in northern Ontario that just defies any rational reading of the result.

Let me just list five or six. What I'm going to do, Mr. Speaker, is not to go into great detail, because quite frankly I think we have thrashed around in the detail. In my view at least, what we've got to do is rescue some overriding principles and get them enunciated in the hope that if the commission takes a final look at them it may do something about the application of those principles, but at least with the rather bad experience we've had in these last two commissions that we can improve on it 10 years hence. As I've already pointed out, why in six eastern Ontario ridings have we got that kind of deviation, not only to 25 per cent below, but in excess of it?

The argument is that there had to be certain flexibilities and how do you work within those flexibilities? The thing that makes that argument just collapse completely is at least one member of the Ontario commission, our chief electoral officer, was also a member of the federal redistribution committee for the Province of Ontario. Significantly, in the Province of Ontario in the federal redistribution, they had no apparent difficulty in redistributing seats and living within a 15 per cent deviation from the provincial quota. Therefore it can be done and presumably at least one member of the commission learned how it could be done on the federal commission.

Why couldn't the same kind of an approach, without such a serious violation of basic principles, have been carried over into the redistribution in the province within the provincial structure? Why, for example would the government have urban quotas of 71,500 on an average and rural quotas of only 53,500 on an average? In other words, the urban quota is 14 per cent above the provincial average and the rural quota is 14 per cent below the provincial average. Now why? Why consistently across the board?

Mr. P. J. Yakabuski (Renfrew South): The member hasn't learned much in all the time he led that party. He doesn't understand this province.

Mr. MacDonald: I say to my friend across there, if he has any respect at all for rep. by pop., it was known that in the urban areas there was going to be a significant population increase, and there has been generally speaking a significant population increase, so that the average of 71,000 in the urban seat has become 75,000 or 80,000 or 85,000—even 90,000 in some constituencies, because we are operating on the population figures of 1971—whereas the rural seat, not always, but usually, was much more static in its population.

Let me make my point this way, Mr. Speaker, to reply to what I suspect is the basic objection of the interjection by the hon. member for Renfrew South. If one had started with all constituencies, rural as well as urban, on exactly the same average quota, based on 1971 figures, inevitably the population increase in the last four years in the urban seats would have opened up the kind of gap that I admit should exist between rural and urban seats.

But don't start with a 14 per cent above and a 14 per cent below margin—in other words, a 28 per cent gap—to begin with, so that by the time you have the first election following the new redistribution the 28 per cent gap has become 35 or 40 or heaven knows what the figure is. Because then we end up with the kind of ludicrous situation of one of his own colleagues, I say to the hon. member for Renfrew South, his own colleague in York Mills sitting with a constituency of 130,000 people. Some of these seats are halfway toward that 130,000 figure, because four years have elapsed from the population figures on which we are working.

I am not one who is arguing that we should have exact identity. I concede that there is a legitimacy in some measure. Some of my colleagues may not agree with this. There is a growing sentiment throughout the Province of Ontario that won't agree with that kind of thing, but I am old fashioned enough, let me put it this way, I am old fashioned enough and my roots are sufficiently in the rural area to suggest that there is legitimately some discrepancy between a rural and an urban seat. But the government is overdoing it. They are overdoing it, and they have overdone it in this.

Now, let me come to the northern Ontario situation. Basically, I agree that we separated off northern Ontario and said that we are not going to reduce the number of seats. In fact I think a case could have been made for an increase in the number of seats in northern Ontario. However, within the framework of redistribution up in that area, some of the things that happen are just mind-boggling.

Mr. F. Laughren (Nickel Belt): Right on.

Mr. MacDonald: How could any group of three sensible, rational people come up with a redistribution of the city of Sault Ste. Marie with 80,000 people in it and two neighbouring constituencies with an aggregate of 61,000?

Mr. Laughren: They couldn't

Mr. MacDonald: How can they do it?

Mr. Turner: Quite easily.

Mr. MacDonald: Well, obviously it was quite easy. Quite easily they did it. But how do they defend it? There is no defence for it, absolutely no defence for it at all. Because I submit that all of the qualifications in all of the second factors that should be brought into the picture because of these guidelines are in relation to what should be the basic guideline of representation by population. They should work toward the objective of having, as much as possible, equality of weight in the votes of people, no matter where they live in the Province of Ontario.

Interjection by an hon. member.

Mr. MacDonald: Let me ask another question. The chairman of the commission, when he responded to the letters from the leader of the New Democratic Party, said that they had to live by the guidelines that were laid down by this House, as though they were Holy Writ. The fascinating thing is that they created their own guideline when it suited their purpose.

They came up with this guideline that in one constituency, Muskoka, they could take into account summer population. Now, I suppose one could make some sort of a case for including summer population if they were in a high school debate, but if they were going to make a case for summer population and make Muskoka a smaller constituency now than it used to be in the past, why do they not apply that new guideline that they've injected into the picture into other constituencies across the Province of Ontario? There are a lot of other constituencies, such as Kenora, where there is a great influx of tens of thousands of people. Why only in one area?

Let me move on, and here is, I suppose, my urban orientation at the moment; I've forgotten my rural roots, may I say to the member for Renfrew South, at this point. Why did this commission fly in the face of all of the evidence which has been painfully, carefully, systematically drawn together, to move toward block constituencies in the city of Toronto rather than the strip constituencies? Why did they do that? I don't know, and they haven't deigned to explain.

We know, those of us who live close to the city of Toronto, that this matter was thrashed through publicly for weary years. It was finally taken to the OMB as the city was considering the redistribution of its own wards for municipal elections, and the report of the OMB committee—I am not going to take the time to quote from it because I think most of the members have seen some of the quotations—indicated that anybody who had any authoritative information or views to express on the topic said that they should move to block constituencies, which would take into account greater community of interest and sociological conditions.

The fascinating thing, Mr. Speaker, is that the staff of the redistribution commission did draw up maps for a block redistribution in the city of Toronto, and in their wisdom, or otherwise, the commission decided not to accept that proposal and to stick with the old electoral boundaries. This is such a key point that I want to just put on the record a paragraph or so from Brian S. McCool, the secretary of the electoral boundaries commission, written to the secretary of CORRA, the Confederation of Residents and Ratepayers Associations, in Metropolitan Toronto. I quote:

> I think I can tell you without betraying any confidence that the first work of the commission was based largely on the organization of south Toronto by blocks rather than by strips, but various considerations led the commissioners to adopt their proposals of June 8.

The commissioners adopted their proposals of June 8 in defiance of all the public discussion, in defiance of the OMB's serious consideration of the report and in defiance of everything else. Why? Would somebody answer that question?

Mr. Speaker, this brings me to my chief objection with regard to the report and the procedures that led to this report, and that is that the commission operated in an atmosphere of Olympian detachment. They got their guidelines, they went off and contemplated on those guidelines; they added to them when it suited their purpose; they dismissed proposals for adding to them when it came from somewhere else and it suited their purpose, whatever may have been that purpose. They came down with proposals which people have objected to—they made their objections after the first report, and they

have made their objections after the second report—and not yet has anybody on the commission, or anybody on the government side who might presumably be speaking to the commission, deigned to tell the lowly proletariat what the rationale is for the decisions they came to.

I repeat: Why? What was their rationale for a seat of 80,000 for Sault Ste. Marie and 61,000 for two neighbouring ridings? What was their rationale for leaving six constituencies in eastern Ontario more than 25 per cent below the average quota? What was their rationale for throwing out the block plan in Toronto? They haven't deigned to explain it.

I submit to you, Mr. Speaker, that that isn't the way a commission should operate. Which brings me to the common ground between this motion and the motion that is being put on by a number of government members. One of the main objections of the government members is that when the commission went into their second redistribution, they caused a whole lot of rippling effects into neighbouring constituencies and came up with results that are considered to be much less than satisfactory.

Nobody had a chance to express their views on it. These three people, who don't have a full knowledge of all the local details, didn't deign to get those views. Oh, they did in some instances, but how that worked we don't know. I know of some people who got letters asking specifically about certain proposals that they had in mind. I know of other people in relation to certain constituencies where much more radical changes were made and they didn't get any letters. I am curious as to how they picked and chose between to whom they sent letters to solicit their advice.

It raises questions as to what really was the objective and the motive of this independent commission. That's very sad, because I don't think there is any other way than operating through an independent commission with guidelines that they know they have to live by, and everybody knows what the guidelines are and that they will be lived by. I think we are going to get that only if we make certain (a) that the guidelines don't have loopholes and (b) that the commission is willing to go out across the Province of Ontario to hold public hearings and to make it possible for people to make representations so that they can have an input from that greater local knowledge and everything isn't going to be decided from the great wisdom of Queen's Park.

With those remarks, Mr. Speaker—and I am not going to detail them any more because some of my colleagues will go into more detail—I just want to remind the House of the three points that we put in our motion, because I have been speaking to them. I can sum up my remarks by repeating them. There has been misapplication of some of the basic guidelines which were given to the commission. The report fails to provide any public explanation for certain obvious violations of those guidelines to which attention was specifically drawn. And, thirdly, the whole report was prepared without public hearings.

Thank you very much.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I am pleased to enter the debate on this motion at this time. I will confine my remarks particularly to certain points—some of which have been raised by the member for York South—but will also include, I fear, some general comments with respect to the second motion that is before us as well.

We were interested in receiving the first proposals which this commission made and which developed a change within the membership of the Legislature by increasing the membership by six seats from 117 to 123.

Now, the member for York South has commented upon the principles which were important, particularly in the earlier distribution. I think it perhaps worthwhile at this point—again for the record of those who might wish to look at this debate—to review the actual terms and the instructions and the terms of reference that the commission used. These were as follows:

First, it was to leave untouched as many of the electoral districts as could possibly be so left, even if this meant in some cases an electoral district might be perhaps larger or smaller than others of a similar nature.

Second, the commission was desirous of giving effect to the various factors specified in its terms of reference—such as geographical, historical and communication considerations—as far as its knowledge enabled it to do so. The fact of extraordinarily rapid growth was also considered where this was apparent to the commission.

Third, vacation areas where the summer population is many times that of the census population were given special consideration.

Fourth, so far as northern Ontario is concerned, by the terms of reference the 25 per cent tolerance did not apply.

These are the particular points that led the commission to its initial report which came before us and was the subject of much discussion and consideration at the time of its report.

The second report that arrived on our desks came on Nov. 18, 1974, and set out 125 seats. There had been some substantial changes and the net results were the addition of one seat in the Niagara district and one seat in the region of Waterloo. These two areas, by the addition of those seats, had membership in the Legislature coincident with the boundaries of the particular regional governments—and that certainly was a definite improvement.

Now, in the Waterloo region, to take the example with which I am the most familiar, the initial suggestions made by this commission were a disaster. The division of the county of Waterloo, which had three ridings, into an area in which it would be part of six ridings, was clearly unacceptable. There were certain changes suggested, not only by the members for the region, but through the internal regional government and the component governments of the region.

The result of these submissions was a change within the area. The result was a good one so far as Waterloo region was concerned. The addition of the seat, particularly with respect to the constituency I represented, would have the effect of reducing the riding of Kitchener, which has 110,000 population, to one of some 72,000 population and creating a new riding to which about 40,000 of the people that I have had the privilege of representing would now find themselves.

Submissions were made; and as the member for York South has suggested, the submissions in some cases—it so happens in the case that I have just referred to—were more successful certainly than in the suggestions which other members have made. Well, the result was a good one, particularly in the net edition of one constituency. Whereas I might have divided it into Kitchener East and Kitchener West to have a more balanced growth, the commission in its wisdom decided that Kitchener should be divided between the area encompassed by the expressway and that area on the outside.

Presumably, the area on the outside, having a smaller proposed population, would be growing more slowly. I think that may be a bit fallacious because, in effect, one new apartment building in the older part of the city can balance a subdivision in the new. However, the change is not unsatisfactory to those of us who are going to be striving either for nomination or election in that area.

In the initial report there was much concern expressed, particularly by our friends to the left, that presumably the placing of the 1971 election result on the 1975 boundaries would have substantial effect on opposition-held seats. Certainly, we thank them for their concern, but so far as we were concerned the computer printouts which we had done, and which developed particularly in the Metropolitan Toronto area, showed some interesting changes, some proposals that might be harmful and others that might not. In the end we decided that it was very difficult to compare the apples and oranges of the results of 1971 with the proposals of 1975. So, we were not too concerned on that particular point.

We were not concerned that because of the changes either in the electoral patterns or the fortunes of one party or another, we would be able to dwell entirely upon the constituent boundaries and those voting patterns that were the case some four years ago. Certainly, some of the representatives, at a meeting of the Toronto and District Liberal Association which I attended, were rather pleased with the new boundaries. Others were quite concerned; certain others were somewhat neutral. I'm sure that that may well have been the approach of representatives of each of the political parties that faced the matters of change, particularly in the Metropolitan Toronto area.

However, we did come to the conclusion, as I have suggested, Mr. Speaker, that it was very difficult to make any useful comparisons between the apples of the 1971 result and the oranges of the 1975 boundaries.

But what are the real complaints? They've been alluded to and referred to by the member for York South, but in our view there are three particular areas that we think the commission should concern itself with. First of all, and the most important, is the lack of public hearings. True, submissions were received after the initial report, and I understand there were some 250 of them. But many of these problems could have been more directly and more usefully resolved in the give-and-take of a public meeting. It's not sufficient only to bring a submission before the commission. Rather, a question asked by a commissioner at that point, or certain other information brought forward by a petitioner at that point, might have resolved many of the problems that are still with us as we look now to the second stage of the report.

As I have suggested to you earlier, Mr. Speaker, initially in the Waterloo region we were to have a six-way split. If there had been a public hearing in our area, and the whole matter discussed earlier on, I suggest to you that that kind of an approach of dividing a region, with the hopes that the government has of creating a regional spirit and a relationship between the members at Queen's Park and the region, would clearly have shown that that initial suggestion was completely unsatisfactory.

I suggest to you that in the other regional government areas of the province the desire for members of this assembly to represent, so far as possible, a regional or a component of a regional government is obviously the best approach. So that kind of problem could probably have been resolved to a great degree through the matter of public hearings.

Perhaps I could just add one further item to the first point, and that is the submission that was sent to all members of the Legislature by the Ontario Secondary School Teachers' Federation concerning this matter of public hearings. On the second page of the letter they raise a rather interesting paragraph that I think would be of interest to the members of the House. It is as follows:

> We have noted in recent years the increased importance that the government has placed on public input in the decision-making process. We are disturbed and at a loss to understand why public input has been limited with respect to redistribution, a process which goes to the very heart of equitable representation and government in our province. We are also concerned that the fullest information on materials used by the commissioners in coming to their conclusions be made public.

So there are the inputs of the requirement for public hearings in circumstances such as this.

The second area is the matter of the differential of size within the ridings as they now exist across the province. In going through a calculation of these various boundaries, I divided the constituencies in the province into four groupings: the first those in northern Ontario; the second those whose populations were larger than 60,000 people; the third those who were less than 60,000 people and, fourthly, those in Metropolitan Toronto. If the members will bear with me for a moment, I think some of the points that come out of this study may be of interest.

The 15 ridings in northern Ontario have two urban, 11 mixed and two rural, a total population of some 764,000 and an average population of 50,936. In the 40 constituencies that have populations greater than 60,000, there are 28 urban, 12 mixed and no rural. Their population is some 2,728,000, an average population of 68,201. The constituencies which have less than 60,000 number 41. Nine are urban, 26 mixed and six rural, with a population of 2,121,001, and the average, 51,731.

Mr. Speaker, when you add together all those constituencies in southern Ontario, excluding Metro Toronto, that is, the 40 that are over 60,000 and the 41 that are less than 60,000, you come out with an average population of 59,864. Agreeably, that is about as close to 60,000 as one can get. When you add together the northern Ontario constituencies and those 81 that I have just referred to, you come out with an average population of 58,469, again pretty close to the 60,000 range. When you look at the Metropolitan Toronto constituencies, those 29, you come up with a population of 2,090,017, an average population of 72,069.

When you divide the total population of the province among these 125 proposed ridings you come back to 61,624, again pretty well close on the mark. You can't do much better in taking an initial view of this thing than to come up with 40 constituencies that are bigger than 60,000 and 41 constituencies that are less than 60,000, but the average populations, spread across this range, are still subject to some concern. The end result is that the Metropolitan Toronto average seat has 72,069 people; the average seat for the rest of the province has 58,469, certainly a differential that is far too great so far as we look at this kind of a development.

There are certain other points that this size differential makes. Certainly the one raised by the member for York South dealing with the constituency of Muskoka with 31,938 people is, I think, worthy of some comment. When you look at that list of constituencies that are less than 40,000, the smallest two on the list are Muskoka and its adjoining constituency of Parry Sound. It may well be there are reasons because of the distances to be covered that those two constituencies, although they are adjoining, should be the smallest in population in the province. I haven't heard what the reasons may be but it would be interesting to have the commission advise us as to how they come up to that conclusion.

An interesting point, Mr. Speaker, when you look at the constituencies outside of Metro that are larger than 60,000, is that the largest constituency is Ottawa-Rideau.

76,488; the second one is Ottawa East, 76,396; the third one is Ottawa Centre, 75,713. The ninth largest is Ottawa West and the 14th largest is Carleton. In the 14 largest constituencies outside of Metro, five of them are in the city of Ottawa and environs.

I don't think that seems to be, especially when you look at the top three constituencies, the kind of balance municipally that perhaps should exist with the more rural ridings in eastern Ontario. It may be that the commission is content with that kind of a division. If it is, surely we should find out the reasoning behind this kind of a change. We would only find out that reasoning if, in fact, public hearings had taken place.

The third area of concern is, of course, the matters with respect to the city of Toronto. As the member for York South has mentioned, it is certainly common knowledge that the initial development of the strip wards for municipal voting patterns within the city of Toronto were found to be unsatisfactory by the Ontario Municipal Board. A ward structure was required, and certainly all the good reasons of ethnic grouping and good communications and all the details which were used to require that kind of a development within the city of Toronto for municipal purposes are every bit as valid within the city of Toronto for legislative purposes. We understand that there was a proposal made to set out the ridings in the city of Toronto that could be divided properly within the block pattern to which I have referred.

During the matter of redistribution I received a rather interesting series of letters from a young man in Toronto, a student whose name is Robert W. Barclay and who lives at 35 Charles St. W., Apt. 812. He developed in great detail, and I want to go into that at a point later in my remarks, the kinds of suggestions that would have made him an excellent member of this commission, or certainly a very fine resource person to the commission. He divided the city of Toronto very neatly into 10 constituencies: Beaches-Woodbine, Riverdale, St. David, St. Andrew-St. Patrick, Bellwoods, Parkdale, Dovercourt, High Park, St. George and Eglinton—all of them well thought out, evenly balanced constituencies, pretty well in a block division. Surely if this young man could sit down with the information that he had available to him—and I don't know how he got all his information—and come up with a pattern that would easily and intelligently divide the city of Toronto into reasonable block voting patterns, then it would not be beyond the wit of the commission to do the same. We're told that such an alternative did, in fact, exist. If that is the case and it is not brought forward at this time for the consideration of the Legislature, then surely we should know why.

Were the proposals then really followed? I referred to them at the opening of my remarks, the desire not to touch any constituencies, or as few as possible; the geographical, historical, commercial and general communications areas; the rapid growth and vacation areas in northern Ontario. Yes, perhaps one was dealt with, that of northern Ontario, in that the number of seats was not changed. But, as the suggestion has been made, the internal division of those 15 ridings, to which I'm sure many members from the north will refer, resulted in some discrepancies that do not seem very easily explained.

The matter of vacation areas is one which perhaps has a small balance of merit. But surely it is a rare situation when a member in a cottage area constituency is faced with an ongoing problem by someone who is up there for several months or several weeks within the year. The odds surely must favour the approach that that person would take to the representative where his or her permanent home might be. There are exceptions, of course.

I simply suggest to you that we should not dwell too much upon the suggestion that members who represent areas in which there are many cottagers are overwhelmed with the requirements of constituency service for those persons. At least in my brief experience in this chamber and in discussing it with my colleagues, we find this is perhaps a minor point but one that can hardly be justified when we look at the requirements which we have to represent people.

There are some particular examples that have taken place concerning the matter of the city of Toronto. As has been suggested, the Confederation of Resident and Ratepayer Associations was very concerned about this whole strip riding approach. There were two suggestions which it offered on its own. The first would have used Bloor St. as a general dividing line to form ridings on the block configuration. The second, based on a full respect for community boundaries, would again result in a somewhat modified form of block ridings.

Surely, as the downtown part of the city of Toronto develops this sense of community, we should be doing everything we could in

this Legislature to ensure that that kind of pattern is encouraged. If we are attempting to develop one large city where there is no sense of community, no involvement by the individual in the area in which he or she lives, then we are only asking for future problems as people become rootless and are not interested in anything about them in a large growing city. As a result, we have to attempt to develop our own riding boundaries on the same basis that communities develop, insofar as that is possible. The alternative certainly exists within the city of Toronto, and it is rather sad that it has not been used.

There was the request earlier that the total number of constituencies be increased from the 10 which are proposed, and to which I had referred, to possibly 11. However, the commission in its wisdom has looked at the developmental patterns within the community and has stayed with the figure of 10. There are imbalances with the populations, of course, but I think it is accepted generally on all sides of the House that a rural constituency is going to have more difficult patterns in terms of travel and terms of the accessibility of the constituents to the member than will an urban constituency, where communications are perhaps quicker, where the distance to travel is somewhat less and, accordingly, where a certain differential can be considered acceptable.

Of course we are interested in representation by population. However, I do share the view of the member for York South, which may be a bit old fashioned, that we have to allow a certain acceptable balance when we weigh travel time and accessibility time against the matter of a more rapid communication availability, at least within a metropolitan area. This is as true in my city of Kitchener as it is, I think, in other and larger cities within the province. This kind of a differential is something that does not cause me particular concern; that is, I would not be prepared to say at least that there could be no such differential.

There are some examples of specific changes that I would like to refer to at this time. The first suggestion I would make to the commission is quite a parochial one, I admit, and that is to change the name of the added constituency within our area from Kitchener South to Kitchener-Wilmot. Federally, the constituency of Perth-Wilmot exists whereby the county of Perth has added on to it the area municipality and the region of Waterloo, which is the township of Wilmot. And that constituency's name of Perth-Wilmot has been accepted by the federal authorities; so that we have the precedent of attaching the name of this particular township to its constituency.

Certainly, to use the term Kitchener South is a rather all-embracing one, and I would hope that the commission would accept this particular suggestion. It remains a two-word constituency name, so that it is not exceptionally lengthy. I would think it would add a certain sense of belonging to those people in the township of Wilmot.

The second point that I believe my colleague, the member for Waterloo North (Mr. Good), will refer to is the name of his own constituency. What is proposed to be Waterloo, I would hope the commission would consider to continue as Waterloo North. That constituency will include not only the city of Waterloo, but the two townships of Wellesley and Woolwich. The name of Waterloo North is one which has existed on the electoral rolls of this province since 1867. Of course, the member for Waterloo North will be able to more adequately express the concerns that he has on the subject, but I wish the commission to know that I, at least, share those concerns.

Mr. Speaker, in dealing with particular points, I had referred to the comments raised earlier on in the suggestions made to me by Mr. Robert W. Barclay. He has written to me a letter as a result of the additional comments that flowed from the second report of the commission. While that letter does go on for two pages, I think that the constituency changes which he suggests are indeed in areas which cover much of the province, the points which he raises, I think, would be of great use to anyone looking over the debate on this subject. I would just like to refer to a couple of these comments that he makes, because I think that they will be useful in the debates as we go through them. His second paragraph begins as this:

> As the question of how many ridings should be created and where they should be allocated seems to be fairly well settled, I have re-examined my ideas in the light of the final report. As the matter is now before the Legislature and you are in a position where you will no doubt be playing a role in the debate and ultimately in the decision-making, I thought that you might be interested in several adjustments which had struck me as being improvements. I hope that the maps are understandable enough that I can safely dispense with any detailed description of urban riding boundaries. The populations are rounded-off approximations based on the 1971 census.

In regard to Metropolitan Toronto, there are several ridings which I view with severe misgivings. One is York Mills and the other is Ellesmere. Both appear to be extremely awkward combinations. I feel that my proposed adjustments in Scarborough are logical enough. They present a very simplistic map and do not alter the ridings too radically from the previous distribution; yet, they permit the creation of a compact new riding. In viewing the population of Scarborough North, it must be remembered that the figures used are now 3½ years out of date and that sustained development has occurred in the Malvern, Brimley Woods and Bridletowne areas of the borough. The riding's population must be rapidly approaching that of the other four ridings of the borough. As far as the York Mills-Oriole situation goes, the change is from an east-west division to a north-south one. This would appear to me to provide less awkward ridings while not upsetting any established community of interests. The name Willowdale might better be substituted for Oriole in this situation.

I might intervene at this point. Of course, the name Oriole has a great historic tradition in the area, which might not be known to Mr. Barclay. It was, I believe, the home area of a former Premier of the province; I believe Mr. Whitney—

An hon. member: Mr. Henry.

Mr. Breithaupt: I'm sorry, Mr. Henry. It certainly has connections with the area that Mr. Barclay might not have known. But let me proceed with the letter.

I am deeply disturbed that the strip system is still being employed in the city of Toronto. Not only that, but it is evolving into longer strips (see St. Andrew-St. Patrick). How the Ontario government can possibly justify this after its own glorious creation, the OMB, has specifically rejected it escapes me. The accompanying map is a possible rearrangement in Toronto which would limit the number of true strip ridings to one, while providing reasonably compact boundaries for the rest of the seats.

If I may now pass beyond the boundaries of Metro, I would like to direct my attention to two ridings which I feel are just abominations. They are Brant-Norfolk and Welington-Peel. The former resembles two unrelated areas thrown together as a tag-end unit. In this regard, also, I feel it is undesirable that rural Oxford should have approximately 10,000 more people in it than urban Brantford. Despite the strong feelings of community within a county I feel that to be equitable more areas should be excised from Oxford and added to one of the adjoining constituencies. It should be noted that all of the area taken from Oxford would end up in one riding, unlike the proposed dissection of the Waterloo region on the commission's "First proposals." This factor could be accounted for by employing the word "Oxford" in the name of the adjoining riding. This might smooth a few ruffled feathers.

I have set out two possible adjustments to the Brant-Norfolk problem. The first would add only Houghton township to the present Haldimand-Norfolk while the former townships of Middleton and Blandford, the former town of Delhi, the township of Oakland, and the newly created township of Norwich would be added to the present Brant. This is the preferable alternative, I believe, as it would leave the ridings as close to their previous composition as is feasible. This plan would find favour with the hon. Mr. Allan, I believe.

I must say, Mr. Speaker, I don't know whether it would or not, but I am sure he may choose to comment.

The second alternative is to organize the ridings strictly along the present municipal boundaries into two appropriate ridings. Thus Norfolk-Oxford would consist of: Blandford, Blenheim, Norwich, Burford, Norfolk, Delhi, and the town of Simcoe; while Haldimand-Brant would consist of: South Dumfries, Onondaga, Tuscarora, Brantford north of the Grand River . . . and [the towns of] Paris, Haldimand, Dunnville and the city of Nanticoke.

The first thought which strikes my mind upon seeing Wellington-Peel is that Governor Gerry's salamander has escaped from its cage (I am speaking of shape and not intent here). It is absurd that a riding as thin as this one should extend for so far, or that Caledon should not be included in a riding with its neighbour, Orangeville, while being lumped with distant centres beyond Orangeville. I believe that the adjustment I set out is reasonable. There is a community of interest among Mono, Orangeville, Caledon, Erin and Eramosa, while Fergus, Elora, Peel and Maryborough as contiguous areas of Wellington county may be properly joined to them. There are, also, communities of interest flowing from Shelburne up Highway 10 to Dundalk, Flesherton and Markdale, and

from the north Wellington area up Highway 6 to Durham and Hanover.

Briefly stated, my adjustment is this: Grey-Wellington—the present Grey South plus [the townships of] Minto, Arthur, West Luther and Melancthon, [the towns of] Harriston, Palmerston, Arthur, Shelburne [and the village of] Clifford.

Wellington-Dufferin, [the townships of] Peel, Maryborough, Nichol, Pilkington, Erin, Eramosa, Mono, Amaranth, East Luther, East and West Garafraxa and the towns of Orangeville, Caledon, Fergus, and the villages of Drayton, Erin, Elora and Grand Valley.

It is to be noted that these adjustments can be made without affecting any ridings other than the two involved.

Finally, I wish to direct my attention to the Huron problem.

Hon. Mr. Winkler: Wasn't going to speak to him, but you are getting one.

Mr. Breithaupt: To continue:

From all reports it would apepar that Strathroy is furious about being included in that riding. It would seem far more logical to me to merely merge the rural areas of Middlesex North with the southern part of Huron county to achieve a Middlesex-Huron riding. This involves an almost even-up trade of Adelaide township and Strathroy for the townships of London and West Nissouri. The former could then remain where they are in Middlesex South . . . . Highway 4 is the chief route from Huron county to London and it would provide a key link between the two areas and the riding.

The resultant disappearance of Middlesex North would allow the creation of a third urban riding in London. Clearly if Mississauga with approximately 175,000 people in 1971 is entitled to three seats, then London with a population of approximately 225,000 is also. At some point in time London is going to have to receive another purely urban seat, and an excellent opportunity would seem to present itself at the moment. The division of London into three seats (all with greater populations than those in Mississauga, I might point out) could be accomplished by an adaption of the present division through the addition of a London West, or an entirely new basis for division could be arrived at. My maps give an example of both solutions. In each case the area of London accorded to Middlesex South is shrunk very slightly from the present.

Two other slight adjustments commend themselves with respect to Huron-Bruce. The vast extent of the riding could be curtailed at either extremity, with Tuckersmith remaining in a proposed Middlesex-Huron and with a trade-off of Port Elgin and Saugeen township to Grey-Bruce for Walkerton and Brant township. While not greatly affecting the population of either riding, it would render both more compact. The hub of Grey-Bruce is Owen Sound, and Port Elgin would appear to be more within its sphere than Walkerton.

I hope that the ideas expressed to you have made the reading of this letter worth your while. In addition, I hope you are successful in achieving a meaningful debate of the commission's proposals and in achieving the rectification of their most obvious weaknesses.

This, Mr. Speaker, is simply a series of suggestions made by one observer; and one would wonder at the benefit, therefore, of having the kind of public hearings we referred to earlier in bringing forward some of these particular points and concerns.

I am sure members from the various areas which Mr. Barclay refers to in his letter are going to be entering the debate and making suggestions which may be of use to the commission. One wonders, though, how much better the initial results of the second series of proposals might have been if this kind of an input would have occurred earlier through the kind of benefits which concerned and interested citizens would have been able to have brought forth at a time of public hearings.

The matter of the Scarborough redistribution is something that concerns us particularly in the Opposition, because the ridings within the Scarborough area seem to have been also divided in a rather curious way. Mr. Barclay has referred earlier to suggestions that he has made. We think, as suggested by this writer, a reasonable suggestion would have been to divide the area into five constituencies, the boundaries of which would have caused a certain block approach and would have allowed for further and earlier development.

The boundaries are set out here and I am not going to take the time of the House to review them, other than to say that Scarborough North would be a constituency bounded by Steeles Ave., Victoria Park, the Pickering town line and Highway 401. Ellesmere could be bounded by Highway 401,

Victoria Park Ave., Highland Creek valley and Lawrence Ave. Scarborough West could be bounded by Lawrence, Victoria Park, Kennedy Rd. and Lake Ontario; Scarborough Centre by Lawrence, Kennedy Rd., Markham Rd. and Lake Ontario; and Scarborough East by Highway 401, the Pickering town line, Lake Ontario and a line north from Lake Ontario on Markham Rd. to Lawrence and so up to Highway 401.

This would be the kind of a block approach of dividing these constituencies that again might better serve the public interest. It is not just enough to suggest that the kinds of submissions that were received following the initial proposals, show the attitude or approach which many people might have chosen to take to this kind of a suggestion on internal divisions of constituency boundaries.

The examples given for Scarborough are much like the examples given by Mr. Barclay when he refers to a series of other ridings. Both of these writers have put together suggestions which I presume are worthy of at least discussion and review. They may not entirely satisfy local patterns, because these two persons may not know all of the details that the commission may have available to it. They also would not know how particular members representing constituencies would view the suggested changes, which might appear easy from the outside but within a constituency might not be suitable to the people who in fact live there. However, this kind of an input could, we think, have been much better attended to by the kinds of approach which would have involved a greater public hearing.

Mr. Speaker, there are a couple of other points I would like to make. The matters dealing with redistribution in the London and Peterborough areas have caused some concern, and I presume that members for those constituencies are going to speak to them. My colleague, the member for Rainy River (Mr. Reid) has asked me to raise one further point since he is attending another event this evening. He has expressed concern that in his particular constituency the improvement district of Barclay is to be removed from the Rainy River riding.

Mr. Reid does regret this, since he has developed what he believes to be a good relationship with the people in the Barclay area. Certainly if it is not the wish of these people to be put into the Kenora riding, he would prefer they remain in the Rainy River district. He has asked me to raise this point and I do so at this time because it will then at least be available for the commission when they review the Hansard debate on this subject.

We have set out, Mr. Speaker, in the remarks that I have made, the three concerns which we particularly have had. The first concern, as I have suggested, is the one dealing with the lack of public hearings. The second matter is the size differentials which have been reviewed, not only in the press and the other media but here this evening. The third matter is the particular problem that deals with the city of Toronto.

These are the three areas to which we believe the commission has not attended as properly as we think should have been done. There have been some articles in the press dealing with the presumed differences in view between the hon. member for York South and the Clerk of the House who sat on the commission.

Whether the comments made either by Mr. Webster or Mr. Williamson are correct or not, I agree that we should not be dealing with this on the basis of a particular personality difference. We should be basing our views on the points that have been raised this evening. And the points and suggestions made are in the light of the report, and with the hope that they may have some value and influence as the commission reviews its work.

The matter of public hearings may not be dealt with. It may well be too late for such an approach on this redistribution, as we know that it is the intention of the government to have this legislation in place before the next election. Obviously, in order to be able to judge when an election should be called, it will be necessary for the government party, as well as for the opposition, to have redistributed constituency organizations in place and ready to go whenever the requirement is there. So, the matter of public hearings may not be able to be the kind of thing that is going to be in effect for this redistribution.

We think that was unfortunate. We would like to have public involvement if it is still possible; but we certainly require that on any future redistribution public hearings be a matter of course.

The second point, that of the size of constituencies, we may still be able to resolve somewhat. The balance that I have suggested, in the mechanical statement that was made earlier dividing the province into four areas, sets out the various differences—northern Ontario, the constituencies more than 60,000, the constituencies less than 60,000 and the Metropolitan Toronto circumstance. The riding differences average out, it so happens, pretty close to 60,000. But when you take out the

Metropolitan Toronto areas, this discrepancy is larger than many of us would like to see. If a 15 per cent figure can be matched within the federal terms of reference, surely that should be the goal within Ontario.

The third point dealing with the block boundaries in the city of Toronto can still be changed. This is one thing that the commission could do that would bring forward a better approach and a better balance of constituencies within the city of Toronto. I've already referred to the suggestion made by Mr. Barclay. It was acknowledged, from various sources, that there was a proposal made for constituencies, based on this block system within the city of Toronto.

If it's too late for public hearings, and if it's too late to worry about all the size differentials of the province, surely the final area of our concern is not too late. That area of concern is with respect to the city of Toronto. At least that particular area could still be dealt with in good time, based on community interest and an involvement to attempt to develop that better sense of community spirit that would exist as we look to the future in the downtown part of the city rather than continuing these narrow strip boundaries.

Well, those are the three areas of concern that we have, Mr. Speaker. I suggest to you that the means I have brought forward to you tonight would allow some alleviation of that, if not now at least in the future.

We are of course concerned with redistribution, but as the government is well aware, we are prepared to fight the next election no matter how they slice up the province. Thank you.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): I have just two brief points, Mr. Speaker, which I can make in the five minutes left. The first is my riding of High Park is having added to it the loyal Tory area of Swansea, and a number of loyal Tories from that area have asked that High Park in future be known as High Park-Swansea, and I have no objection to that. If someone out there is listening, I hope they will carry out this major change in the redistribution.

The other point is perhaps not as serious. It is a letter which I have here. It is on Progressive Conservative Party stationery and it apparently was sent out at the time of the last redistribution. The only reason I mention it is that there have been some snide suggestions on this side of the House that because it is an independent commission we need not worry and there is no gerrymandering.

Of course I believe in independent commissions and I was not one of those snide people who said that, but I thought it should go on the record. This letter which went out last time, this particular one, is signed by a certain David E. Allin and dated March 23, 1966, and I haven't got time to read the whole letter, unfortunately, but I will read the important part. It is addressed to Stan Boivin, president of Nickel Belt riding Progressive Conservative Association:

> As the area encompassed by the present Sudbury and Nickel Belt ridings will now enclose three ridings, the new Sudbury East riding will include parts of both, it is my thought that perhaps the best method of effecting redistribution will be to have a joint meeting of the Sudbury and Nickel Belt executive to discuss it.

It is always interesting to know how independent commissions work, so I put that on the record just for the benefit of those who may have some doubts in the future; that is purely a historical point. I am not running again so it is not of too much importance. Thank you very much.

Mr. Speaker: Will there be further people to speak to this? The member for Yorkview (Mr. Young) or the member for St. George? Were either going to rise? Perhaps it is hardly worth while starting. If you would care to move the adjournment of the debate it might just be in order.

Mrs. M. Campbell (St. George): You wish me to move the adjournment of the debate?

Mr. Speaker: We have only one or two minutes left. You will probably take more time than that.

Mrs. Campbell moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Mr. Speaker, before I move the adjournment of the House I would say that we will carry on with this debate tomorrow afternoon and also the further motion; to be followed by order No. 10, Bill 179; to be followed by order No. 2, Bill 176.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Tuesday, January 28, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JANUARY 28, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: I recognize the member for Armourdale.

Mr. G. R. Carton (Armourdale): Mr. Speaker, I rise on a question of personal privilege; namely the story on page one of the Globe and Mail this morning headlined: "Letters in House Contradict Carton on Road Land Deal." On page two of the Globe and Mail it simply says: "Carton Involved;" and page five of the Globe and Mail sets out certain letters stating: "Letter, Reply, Result."

I rise, sir, not in anger. I rise simply in sorrow; and yes, in disgust. Because of the following two letters I was awakened this morning, about 1:30 a.m., by a reporter wanting an interview. These are the letters, one on Dec. 8, 1972:

Hon. Gordon Carton, QC, Minister of Transportation and Communications,
Third Floor,
Ferguson Block,
Queen's Park,
Toronto, Ontario.

Dear Gordon:

Attached hereto is a copy of a letter from a friend of mine in Ottawa. Is there any information we can properly give to him at this time?

Sincerely,

(Signed) Bert
A. B. R. Lawrence.

The next letter, Mr. Speaker, is a letter from me to Mr. Lawrence dated Jan. 3, 1973.

Dear Bert:

This is in reply to your letter of Dec. 8, on behalf of Mr. W. W. Buchanan, concerning property in lot 4, concession 1, town of Oakville.

Although the recommendations of the governmental task force involved with designating parkway belts and transportation and utility corridors have not been finalized, the link connecting Highway 403 to the Queen Elizabeth Way has been designated as a controlled access highway.

It has been determined that a portion of this land will be required for this highway. Our staff will establish the exact requirements and will complete the necessary appraisals. Following this, we will contact the owners and proceed with negotiations on a voluntary sale basis providing funds are available.

Thank you for your interest in this matter.

Yours sincerely,
Gordon Carton.

Mr. Speaker, at 2 o'clock this morning, or 1:30 a.m., not only was I unaware of the article in the Globe and Mail referred to by the Canadian Press reporter, I was equally unaware of the two letters. The reporter asked me if I knew a Mr. Buchanan, I replied no. He then told me the contents of the two letters that I have read; to which I replied that I honestly did not see anything amiss. In other words, what was he seeking? Where was the wrongdoing? I then asked him if in fact we had purchased the property, and he said yes, that this was part of the lands discussed in the Legislature Monday afternoon.

Mr. Speaker, my statement to Mr. Williamson of the Globe and Mail on Sunday, which was printed in Monday's paper, and I quote—and I apologize for the language, but bear in mind there are inferences when these questions are asked—was:

> They would know better than to mention it to me, because I would get my back up and I would tell them I didn't care even if we needed the bloody thing.

My statement is just as true today as it was Sunday. This was a reply to a suggestion that a high government official or officer might influence me in my ministerial duties. Succinctly, Mr. Speaker, and I repeat, there is no way that I would do anything surreptitiously or improperly for anyone. Anyone who knows me will attest to this.

Following the perverted logic of the reporter, I suppose there perhaps could be implied something sinister in being addressed "Dear Gordon" by one of my colleagues. But a student of journalism would know this was

accepted practice. The letter from the Hon. Bert Lawrence was proper in every way, similar to hundreds of letters received from all sides of the House, from all the government members and all the members opposite. They act as ombudsmen in their areas and they are fully entitled to ask for status reports.

If a request comes, whether it be from the hon. members or from members of the public, it goes directly from the minister's office without him seeing it to Downsview for research. At that juncture a letter is drafted by the ministry staff and returned to the minister's office for approval and signature. The minister would read and sign perhaps 200 to 300 letters a week. If the letter disclosed some discord or some varying views the minister would read the backup material in order to assure himself that he agrees with the replies.

I acknowledge, Mr. Speaker, that I signed the letter, but I repeat, the matter was not an extraordinary one; it was one of countless hundreds of matters currently on the shelf. I completely forgot the letter. I forgot the name Buchanan and the entire matter until 2 o'clock this morning. Incidentally, but very important, there is absolutely no way whatsoever that the name Buchanan in the correspondence just read was in any way connected with Fantum Investments, Mr. Feldman, Mr. Shouldice or any other of the matters relating thereto. I dealt with the matter as a Mr. Buchanan and a lot and plan number reference, through the proper officials in my ministry.

That brings me to what I think is a most important point, Mr. Speaker. There is a chronology of events in this matter. It started on June 1, 1971, with a letter addressed to our chief design engineer and signed by Mr. Feldman—incidentally, the press have all these letters—and I find it very interesting that the second paragraph states:

> Upon checking at the township some days ago we found that the MTC is proposing to construct a connecting highway between Highway 403 and the Queen Elizabeth and that the cloverleaf and the right of way will in fact require all the above property.

That started, sir, as I say, on June 1, 1971. There was a letter on June 8, 1971, from a ministry official, Mr. R. G. Burnfield, to Mr. Feldman, acknowledging the letter and "upon review will advise as to MTC's decision." On Oct. 20, 1971, Mr. Steinberg contacted Mr. Pillar of the ministry to discuss the status of the June 1 request: "Visit to be acknowledged by letter, noting request is under active review; advised that it would take a month or more to make a definite decision."

On Oct. 25, 1971, there was a letter from Mr. Pillar to Mr. Steinberg as outlined above.

On Oct. 27, 1971, there was a letter from Mr. Pillar to Mr. Oddson informing him of "meeting with M. Steinberg and information exchanged."

On Nov. 10, 1971, M. Steinberg phoned R. A. Madill of the ministry to check the progress of the request. Nov. 16, 1971: From R. A. Madill, MTC, to M. Steinberg: "Further to the phone call of Nov. 10 advising MTC not in a position to acquire property requirements, decision hopefully within next year."

Mr. S. Lewis (Scarborough West): That is when they lost the file and the letter.

Mr. Carton: April 17, 1972: From Fantum to R. S. Pillar to advise of proceedings to apply for a draft plan of subdivision, suggesting present time is proper to commence negotiations for purchase of requirements.

May 15, 1972: From S. J. Radbone to A. Feldman, stating, "No record of property purchases for 403 as referred to in April 17 letter."

May 25, 1972: W. Buchanan phoned R. G. Gascoyne concerning the acquisition of the subject property. May 29, 1972: From W. Buchanan to R. G. Gascoyne, enclosing the legal description and requesting MTC to purchase property. June 15, 1972: From A. C. Bonnis to M. W. Robinson requesting a title search and cost estimate.

June 28, 1972: Meeting between W. Buchanan, R. W. Oddson and P. J. Harvey in the latter's office. June 28, 1972; July 18, 1972; Sept. 27, 1972; Oct. 6, 1972; and so on.

The most important one, Mr. Speaker, was on Nov. 2, 1972—which was before any letter was received or any letter sent by the hon. Bert Lawrence or myself—when a report went from A. C. Bonnis to R. G. Gascoyne outlining the background for the recommendation for the advance purchase of the Fantum Holdings property.

Mr. Speaker, I prided myself in my ministry on answering all the MPPs' letters as expeditiously as possible. I opened a file for each member. I personally updated them every two weeks, and in some cases the solution was to meet with the individual

MPPs and their constituents. I do not recall ever refusing to meet with any MPP on either side of the House.

Mr. Speaker, I said at the outset that I spoke not in anger but in sorrow and disgust. I hope I have been able to convey my disgust. I now turn to my feelings of sorrow. I first sought public office in 1963 after having held high office in many community and charitable endeavours. I was the national president of the Canadian Progress Club; president of the YMCA; on the board of the Metropolitan Toronto Association for Retarded Children; for cystic fibrosis fund raising, the Spina Bifida Association; and latterly the Participation House.

It was while I was presenting a brief to the then Minister of Education, the hon. John Robarts, on behalf of the retarded children, that I thought perhaps I could direct my talents to a bigger forum where I could participate in the law-making for the less fortunate. I was first elected in 1963, re-elected in 1967 and 1971; and each time victory was conceded before the polls were closed 30 minutes.

I fought my own government in my maiden speech, and that's a traumatic experience. I have held a weekly clinic every Wednesday. Summer, spring, fall and winter, Christmas Eve, New Year's Eve, I have been there to meet my constituents. I have not missed more than one Wednesday per year, and that would be because of some outside force such as sitting, as we did on Wednesday nights, or at a minister's conference.

Prior to Christmas 1973 I informed the Premier (Mr. Davis) that I did not intend seeking re-election in 1975. I felt I had made my contribution and I hoped I had at least made a ripple at Queen's Park. The Premier requested me to stay; I politely and firmly said no. It was at that juncture I left the cabinet. There is no point in taking a ball player to spring camp if he is not going to play in the league.

And so, Mr. Speaker, the sorrowful part is that in the late autumn of my po'itical life, my political career and all that went before it is beclouded by headlines that bear absolutely no relevance to the facts. The press had all the material used by me today; they had it before I did. The sorrowful part is that the Globe and Mail did not print the chronology, the chronology that I have just recited wherein it was shown that the ministry officials had decided to make the purchase. Obviously when the letter came through to me it went to the ministry officials and they updated me at that time. It was they who decided; the die had been cast by the ministry officials, in their wisdom, weeks before the minister signed that letter. The minister's letter was routine.

I find this sorrowful, Mr. Speaker; and I would not want it to happen to any other member of the Legislature.

Mr. Speaker: I recognize the member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, with your permission I would like to introduce 80 students with their teachers from the G. B. Warren Junior High School in Yorkview. I am sure that the House would like to join with me in welcoming them here today as they observe the smooth and very orderly working of democracy.

Mr. Speaker: I would like to introduce a distinguished gentleman in the Speaker's gallery who is with us today, Mr. James Balfour, who is the federal MP for Regina East.

Statements by the ministry.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I would like at this time to advise the House of the latest of a series of major initiatives the government is taking to facilitate development in eastern Ontario. In the coming months my colleagues will outline additional programmes specifically designed to serve this very important area of this province. The development of this programme is confirming our expectations that eastern Ontario would benefit very substantially from major industrial development.

However, Mr. Speaker, we are all very conscious that rapid large-scale industrialization could threaten the environment and disrupt the economy and social structure of many towns of eastern Ontario. Our residents do not want this kind of disruption. Many of them have chosen to live in this area of Ontario by choice because they like it better where they are than anywhere else. The government believes very strongly that any economic and social stimulation which we apply must reinforce the amenities which residents have chosen and the priorities which they prefer. In a very practical way these communities represent a substantial investment of public capital, in homes, schools, churches, stores and shops, recreation facilities, hospitals, and other services which would

have to be duplicated elsewhere at a much greater cost if these communities lose their vitality. This could happen if they do not have some new industrial and commercial development.

This need was stressed constantly during the numerous meetings which the Minister of Industry and Tourism (Mr. Bennett) has held with our colleagues, with municipal and community representatives and with many citizens throughout eastern Ontario over the past 18 months.

As part of our programme, the Minister of Industry and Tourism will be bringing forward a programme for municipal industrial parks and this, together with incentives available through the Eastern Ontario Development Corp., will give the municipalities the resources they need to attract and locate the kind of industrial development they want.

At the same time, Mr. Speaker, the government wishes to ensure provision of an adequate site for major industrial development, because all our experience has shown that we must be able to show a site to potential industries and give them firm assurances on the availability, cost and servicing. To do this we must control the property.

The hon. members of this House are aware that options have been acquired on approximately 10,000 acres of rural land on the St. Lawrence Seaway in Edwardsburgh township.

Mr. A. J. Roy (Ottawa East): We knew it before the minister did.

Hon. Mr. Irvine: At the present time, the government has options on approximately 10,000 acres at an average cost of $508 an acre for undeveloped portions and $701 an acre for the built-up portions.

Mr. Lewis: When did they fill in the minister that he was being had?

Hon. Mr. Irvine: As these options fall due, Mr. Speaker, they will be exercised on behalf of the government by the Minister of Government Services (Mr. Snow).

Although we have not acquired options on all the property within the site, we do not plan to initiate any further purchases for the time being. However, we will be receptive to any reasonable voluntary offer of property which we consider useful for future development.

Mr. Roy: What is the cost?

Hon. Mr. Irvine: This site was chosen because it's situated on the Seaway with the only deep-sea port between Montreal and Toronto. There is excellent road and rail access. Highways 401 and 416 and the main lines of the two railways traverse the property.

Mr. Roy: When did the minister find out about it?

Hon. Mr. Irvine: As I have said many times before—

Mr. P. J. Yakabuski (Renfrew South): The member doesn't like it, does he?

Hon. Mr. Irvine: —I cannot outline at this time in any detailed way how this property will ultimately be used. This will be determined—

Interjection by an hon. member.

Mr. M. Cassidy (Ottawa Centre): The government had the chance to put Stelco there.

Hon. Mr. Irvine: —in continuing consultation with residents of the entire area, but—and this is very important—the site is of such a size and nature that it can accommodate major industries and any associated community and support services which ultimately prove most desirable.

However, we will not allow this project to compete directly with existing communities for industrial development which they can readily accommodate. Instead, we know this initiative will provide economic stimulation and trigger secondary industrial and commercial development for the entire region without disrupting our very vital existing communities.

While some of this land is under cultivation, very little of Ontario's prime food lands is involved and the development will not encroach in any significant way on our food production capacity. However, we do intend to keep in cultivation the lands that are presently producing food until they are needed for other development.

Mr. D. M. Deacon (York Centre): Until; yes.

Mr. Lewis: Yes, like steel mills or secondary manufacturing.

Hon. Mr. Irvine: The Premier, the Treasurer (Mr. McKeough), the Minister without Portfolio from London South (Mr. White), the Minister of Industry and Tourism and other of my colleagues from eastern Ontario met with municipal representatives from eastern Ontario today and I will personally be in the area that's directly affected tonight for a meeting with all the residents to—

Mr. Roy: All the residents?

Hon. Mr. Irvine: —outline to them the details of the purchase.

Mr. Roy: Why weren't we invited? The minister didn't invite us.

Mr. Yakabuski: It's our programme, not theirs.

Hon. Mr. Irvine: As I said at the outset, Mr. Speaker—

Interjections by hon. members.

Hon. Mr. Irvine: —this is the first of a series of steps we are taking to —

Mr. J. R. Breithaupt (Kitchener): This is the last of a series.

Hon. Mr. Irvine: —meet the social, cultural and economic needs of eastern Ontario.

Mr. Lewis: The Minister of Industry and Tourism doesn't even agree with this.

Mr. M. Gaunt (Huron-Bruce): Just say "cheese."

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Irvine: And I know, Mr. Speaker, by the response from the opposition—

Mr. Lewis: How is he going to bail the Minister of Industry and Tourism out of this one?

Hon. Mr. Irvine: —that it hurts to have it brought home very—

Mr. Lewis: There's the chicken roosting over there, right across from the minister.

Hon. Mr. Irvine: —quickly by the government, that the government recognizes—

Mr. J. E. Bullbrook (Sarnia): Don't start ad-libbing; read from the statement.

Hon. Mr. Irvine: —that there must be development in eastern Ontario.

Interjections by hon members.

Mr. M. Shulman (High Park): The way things are going, they won't hold Glengarry.

Hon. Mr. Irvine: Mr. Speaker—

Mr. Lewis: Another land grant by the Tories.

Mr. Speaker: Order please. The minister has the floor.

Interjection by an hon. member.

Hon. Mr. Irvine: Mr. Speaker, the opposition is obviously very upset at this major announcement, which makes me feel just wonderful. All I would like to say is that the government will continue to make announcements which will make them feel as sick as they are today.

CUT IN MINISTERS' SALARIES

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, a few days ago I said that the government was giving serious consideration to a five per cent reduction in the salaries of cabinet ministers. This would be a visible expression—

Mr. E. Sargent (Grey-Bruce): Does this include Mr. Kelly?

Mr. Cassidy: Must be an election due.

Hon. Mr. Winkler: —of the determination of the government to provide an example that might be followed by others in our economy, including other governments in Canada.

The total remuneration of cabinet ministers is $40,500, made up of an annual salary of $18,000—

Mr. Shulman: Overpaid.

Mr. Lewis: Boy, should there be a cut!

Hon. Mr. Winkler: —an indemnity of $15,000 and an allowance of $7,500.

An hon. member: The total remuneration is provocative.

Mr. D. C. MacDonald (York South): They're not on pack rations.

Hon. Mr. Winkler: They don't like to hear about responsible moves.

Interjections by hon. members.

Mr. Lewis: Everything he touches goes sour.

An hon. member: Those guys are ripping off the public purse.

Interjections by hon. members.

Mr. Lewis: Everything he touches goes wrong.

Mr. MacDonald: Has the member for Lambton (Mr. Henderson) okayed this?

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: Sounds like a cheap political trick.

Hon. Mr. Winkler: The total remuneration of Ministers without Portfolio is $30,000. The cabinet has now approved my proposal and each minister will return five per cent of his total remuneration of $40,500—or, if a Minister without Portfolio, $30,000—to the Treasurer. Each minister will make his own arrangement—

Mr. Young: Make it 20 per cent.

Mr. Lewis: In person, in cash.

Hon. Mr. Winkler: —but in all cases the full five per cent will have been returned by the end of 1975, at which time, Mr. Speaker—

Mr. Lewis: Preferably at Winston's, but if not there, who knows? What a farce this is. Do something about the economy.

Hon. Mr. Winkler: The member is the only farce around here. He's the only farce around this establishment and it's high time the people knew about it.

Mr. Lewis: What an irresponsible person the minister is; five per cent of $40,000!

Mr. W. Hodgson (York North): Let the member put his money where his month is.

Mr. Lewis: What is the government doing for low wage earners?

Mr. Speaker: Order please, order. We heard a comment—

Interjections by hon. members.

Mr. Speaker: We heard a comment a moment ago about the exemplary behaviour of the members here. Let's continue it that way. Would the minister continue?

Interjections by hon. members.

Hon. Mr. Winkler: Thank you, Mr. Speaker. The people will know the activity of the opposition for what it is.

Mr. Lewis: This isn't behaviour; it is irresponsible.

Hon. A. Grossman (Provincial Secretary for Resources Development): The member is a cheapskate.

Mr. Lewis: Do something for the people of the province.

Hon. Mr. Winkler: I want to say that at the end of 1975 I will review the situation in accordance with the circumstances.

Mr. T. P. Reid (Rainy River): Don't count on it.

Mr. Lewis: Oh sure.

Hon. Mr. Winkler: While there was no obligation to do so, the Leader of the Opposition (Mr. R. F. Nixon) has already given evidence of his support for this action.

An hon. member: His and Dorothy's. Don't leave out Dorothy.

Hon. G. A. Kerr (Solicitor General): He will be charged depreciation for that car, you know.

Interjection by an hon. member.

Hon. Mr. Winkler: I hope, Mr. Speaker, that the leadership we are showing by this move—

Mr. J. F. Foulds (Port Arthur): Are the cheques going to be signed by the ministers' wives as well?

Hon. Mr. Winkler: —will be copied by others, and in this way assist in curbing the rate of inflation, which is the major concern of all of us.

Mr. Lewis: We could have an honour roll.

Hon. Mr. Winkler: The member apparently didn't listen to the federal Minister of Finance last night. Thank you, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Speaker: Order, please. Could we get on with the business of the Legislature?

Mr. Reid: Yes, we have had the comedy hour.

Mr. Speaker: I am quite aware of that.

Mr. Lewis: If the jobs were evaluated they wouldn't get $20,000.

Mr. Speaker: Oral questions; the Leader of the Opposition.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question of the Minister of Housing. Did he make clear that there would be no housing associated with

the development in Edwardsburgh township, or will there be some?

Hon. Mr. Irvine: Mr. Speaker, I indicated in my statement there would be associated development along with the industrial development. There can be some housing development in the future.

Mr. R. F. Nixon: Supplementary: Since I know the minister's sensitivity in that regard, and since there will be housing associated with it, I wonder if the minister would make clear to the House when he found out about this plan and particularly when he found out that there would be housing associated with it, in view of his statement in response to my question on Oct. 29 as follows:

I don't know for what purpose it is being assembled. I don't know what the future will be.

And on Nov. 16 he said, "There is no way there will be any new townsite in the township. Any residential development generated will be confined to Prescott and Brockville."

Hon. Mr. Irvine: Mr. Speaker, I would be delighted to answer the question of the Leader of the Official Opposition, because today we have many reeves and mayors in the audience.

Mr. R. F. Nixon: They want to know why the minister wasn't consulted.

Hon. Mr. Irvine: I would like to have the Leader of the Opposition on the record as not understanding what the development is all about.

Mr. R. F. Nixon: They want to know why the minister wasn't consulted.

Mr. Speaker: Order please. The member has asked his question.

Hon. Mr. Irvine: The Leader of the Opposition doesn't have any understanding as to what eastern Ontario needs.

Interjections by hon. members.

Hon. Mr. Irvine: All he has to do is check the records of how many seats his party got in eastern Ontario.

Mr. R. F. Ruston (Essex-Kent): Did the minister buy their lunch today?

Mr. Roy: Answer the question.

Hon. Mr. Irvine: I want to say to him that I found out when the decision was in cabinet. The cabinet made a decision; and whether there will be housing located in certain areas I am not prepared to tell the member at this time. I said there may be housing.

Mr. Roy: Isn't the minister in the cabinet?

Hon. Mr. Irvine: It would make some sense to have some housing there, I suppose, but I am not going to define to him what area is for housing. I said to him before, in my opinion there would be no new site for a large complex as we are contemplating in North Pickering or in Haldiman-Norfolk. That I stand by. There will be no new townsite.

Mr. R. F. Nixon: On a point of order, Mr. Speaker, just so that the minister will be informed, I used to work in Spencerville. I taught school there and I know more about that community than the minister does. I would like to say this, as a supplementary question—

Mr. Lewis: Mr. Speaker, on a point of order, I have never been in Spencerville and I know more about it.

Mr. R. F. Nixon: It is a very important question from the standpoint of the audience that the minister drew attention to, the reeves, the elected people from the area. They want to know why the minister as the elected cabinet minister from that area was not consulted when the decision was taken by the member for London South to acquire those lands. What kind of a policy can this government possibly have when they don't consult the Minister of Housing—acting minister in those days—

Hon. W. G. Davis (Premier): Is the Leader of the Opposition opposed to it?

Mr. R. F. Nixon: —or the man who is the spokesman for—

Interjections by hon. members.

Mr. Speaker: Order please. The hon. minister has the floor.

Hon. Mr. Irvine: Mr. Speaker, the Leader of the Opposition has asked why I didn't know about the development at a certain time.

Mr. Lewis: They didn't trust him.

Mr. R. S. Smith (Nipissing): We know the question, just answer it.

Hon. Mr. Irvine: I informed the House there were options being taken. Options certainly were not being exercised and have not been exercised. The point is a decision has

been made by the government of today to exercise the options in the near future, whenever they fall due.

Mr. Cassidy: The minister's buddies have left him out in the cold.

Hon. Mr. Irvine: The Leader of the Opposition may have come from Spencerville at some particular time, but I don't think he knows anything about Spencerville, quite frankly.

Mr. Speaker: The member for High Park with a supplementary?

Mr. Shulman: Supplementary, Mr. Speaker: Is it reasonable to come to the conclusion that the senior members of the cabinet did not take the minister into their confidence on this matter because they felt he was not aware of the needs of eastern Ontario?

An hon. member: He can't keep a secret.

Hon. Mr. Irvine: Mr. Speaker, that is not the best question the member for High Park has asked, I can assure him.

Mr. Cassidy: Doesn't the minister have any answers at all?

Interjections by hon. members.

Hon. Mr. Irvine: Obviously the member assured the people in my area very quickly that whatever was done would be in their best interests and that I would protect the people of Grenville-Dundas as long as I was their member—

An hon. member: We know what's past.

Hon. Mr. Irvine: —and regardless of whether the opposition are against the development of eastern Ontario, which they apparently are, I am for it.

Mr. Breithaupt: The jury isn't smiling.

Mr. Speaker: The member for Carleton East has a supplementary.

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. Will the Minister of Housing please explain why it is that eastern Ontario members of this party and the New Democratic Party were not invited to the briefing he gave our invited guests today and which he gave to his own backbenchers from eastern Ontario?

Interjections by hon. members.

Mr. P. Taylor: Maybe if we had been briefed we would think better of the project.

Interjections by hon. members.

Mr. P. Taylor: Point No. 2—

Mr. Speaker: Question.

Mr. P. Taylor: Would the minister please explain why a 456-acre industrial park on the waterfront at Prescott has never been used? And point No. 3—

Mr. Speaker: That is not a supplementary question to the original.

Mr. Roy: Yes, it is.

Mr. Speaker: Not the second part of it. The first part of it was. The member for Carleton East asked three or four questions. He asked for one supplementary, not four. On No. 1 he asked one. Is there an answer, Mr. Minister?

Hon. Mr. Irvine: Mr. Speaker, I will have to ask the member to repeat the question; I couldn't hear him.

Mr. MacDonald: Why was it a Tory clambake instead of a legislative clambake?

Mr. Speaker: Ask the first question, which was somewhat supplementary.

Hon. Mr. Irvine: Would the member repeat the No. 1 question?

Mr. P. Taylor: Why were the eastern Ontario members of the two opposition parties not invited to the briefing? And why was land purchased for this project at the rate of $500 per acre when the going rate at the time was $55 an acre?

Hon. Mr. Irvine: Mr. Speaker, very obviously this government has done in the past, and did today, the proper thing in consulting the people of eastern Ontario—

Interjections by hon. members,

Mr. Shulman: Why doesn't the minister's boss ever consult him?

Hon. Mr. Irvine: We're not a government that is going to take action without the people of eastern Ontario knowing full well what the ramifications are. We have said to the people who were there today, the appointed and elected people, that this will be a great stimulation to the economy of eastern Ontario, and I fully believe that.

Mr. Cassidy: The minister forgot to invite some members.

Hon. Mr. Irvine: Whether or not the member for Carleton East was there is not the

question. I don't think he would have added anything to it if he was there.

Mr. Cassidy: Probably not, but he should have been invited.

Mr. Shulman: That wasn't the best answer the minister has ever given either.

Mr. Speaker: The member for Stormont.

Mr. G. Samis (Stormont): A supplementary, Mr. Speaker: Could the minister tell the House what types of industries the government is seeking to attract to this industrial park—

Mr. Yakabuski: In the fullness of time.

Mr. Samis: —and what guarantees he can give to the existing communities that this won't be in competition with the existing industrial parks in eastern Ontario?

Mr. Shulman: The minister won't know.

Hon. Mr. Irvine: Mr. Speaker, it's unfortunate that the member for Stormont didn't listen to what I was saying—

Mr. Lewis: Oh, come on!

Mr. Foulds: He was listening very carefully.

Mr. W. Ferrier (Cochrane South): Let the minister quit taking such a superior attitude.

Mr. Foulds: Look, flannel mouth, just answer the question.

Hon. Mr. Irvine: In our statement we have clearly stated this development will not disrupt the development of existing communities in eastern Ontario. We have said we would provide financial assistance to the existing communities by way of assisting them to develop industrial parks—serviced parks, and not just by way of acquiring land for developing those lands.

Mr. R. F. Nixon: Most of them have industrial parks anyway.

Hon. Mr. Irvine: I am saying to the member, with regard to his particular area, that I don't think he should have any quarrel with further development in eastern Ontario when the city of Cornwall has had more incentives provided by this government than any other area—

Mr. Lewis: That's right.

Mr. Breithaupt: And they were ungrateful too.

Mr. Bullbrook: They showed their appreciation.

Hon. Mr. Irvine: Therefore, I think it's about time that the hon. member recognized that the Province of Ontario aims to help all of Ontario and all of the people.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. R. F. Nixon: I would like to ask the Minister of Industry and Tourism a somewhat similar question. When did he find out about this and how was he converted so spectacularly that he is put in charge of the development when, according to the quotes that he has made in our hearing in this chamber and in eastern Ontario, he said it's absolutely foolish and we'd be completely off our nut to build a new industrial park there?

Mr. Yakabuski: The Leader of the Opposition is missing the point.

Interjections by hon. members.

Hon. C. Bennett (Minister of Industry and Tourism): Obviously, Mr. Speaker, words of truth seem to ring a wrong bell with the Liberals today.

Mr. Roy: The minister is not off his nut, let him tell us that!

Hon. Mr. Bennett: Mr. Speaker, I became aware of the options being placed by the government of Ontario just a week prior to Christmas.

Mr. R. F. Nixon: Does the minister mean that the former Treasurer (Mr. White) went ahead on his own? No wonder he's in charge of the campaign! Things look better than we thought.

Interjections by hon. members.

An hon. member: Not from this side they don't; don't worry about that.

Hon. Mr. Bennett: Mr. Speaker, I became aware of the options being placed by the government about a week prior to Christmas. While I had made those statements and I stand by them because at the time it was my opinion from the press reports that they were going to—

Interjections by hon. members.

Mr. Lewis: What does the minister mean, he stands by them?

Hon. Mr. Bennett: Well, the leader of the NDP seem to put such a great reliance on press reports of recent days.

Mr. Lewis: Two senior cabinet ministers, neither of them consulted, one in housing, one in industry; and now the government is building a park.

Mr. Speaker: Order please, we all want to hear the hon. minister.

Hon. Mr. Bennett: Mr. Speaker—

Mr. Lewis: They are off their collective nuts over there.

Hon. Mr. Bennett: While they have one in the NDP, we don't have to have two anywhere else.

Hon. Mr. Davis: It takes one to know one.

Mr. Yakabuski: He'll have the last laugh.

Mr. Ruston: Will the hon. minister tell us what is going on?

Mr. Breithaupt: I don't think Mack Sennett would have done as good a job.

Hon. Mr. Bennett: Mr. Speaker—

Interjection by hon. members.

Mr. Speaker: Order please, the hon. minister wants to give his answer.

Interjections by hon. members.

Mr. Speaker: Order please, the Speaker has called for order. Don't carry it too much further.

An hon. member: Look what they are doing over there.

Mr. Lewis: Come on, they are colleagues of the minister's. He is doing well, let him take another 15 minutes.

Interjections by hon. members.

An hon. member: No, it's a fun day.

Mr. Speaker: The hon. minister.

Hon. Mr. Bennett: Mr. Speaker, it is the members' time, let them keep that in mind.

Mr. Lewis: Right, but this is worth it—go ahead.

Interjections by hon. members.

Hon. Mr. Bennett: Mr. Speaker, as I have indicated, I have been aware that industrial operations are being advanced in eastern Ontario. To answer some of the questions the leader of the Liberal Party has asked, the Minister of Housing and I and the Minister of Consumer and Commercial Relations (Mr. Handleman) and others from eastern Ontario have made it very clear to the cabinet what we believe is essential for industrial development in our part of the province.

Mr. Lewis: No doubt.

Hon. Mr. Bennett: The actions that were taken then in acquiring land were those decided on by the then Treasurer of the Province of Ontario. It was their bill.

Mr. Cassidy: The minister was overruled.

Hon. Mr. Bennett: We had clearly indicated the requirements in our part of the province.

Mr. R. S. Smith: Is he the nut?

Hon. Mr. Bennett: The then Treasurer, reporting for the planning division of the government of Ontario—

Mr. Ruston: He made a mess of it.

Hon. Mr. Bennett: —and his people reviewed the requirements in eastern Ontario and where would be the best location for a major industrial park. It was the decision—and I openly admit this, as I did in the press—to put options on land by four ministers of the government. Once the option had been placed so they could get a clear decision on the price per acre of land—and I think that's in the best interest of the taxpayers of this province—then it was brought to cabinet and we had the decision.

Mr. Lewis: What does he mean by clear decision?

Mr. Roy: The minister had it put after the fact.

Mr. Speaker: Order please.

Hon. Mr. Bennett: We had the decision, as members of cabinet, to decide as to whether we wished to advance in taking up the options or dropping them. Basically, why did we go to eastern Ontario?

An hon. member: That wasn't the question.

Hon. Mr. Bennett: Very obviously, the opposition members have constantly said there was too much development in this part of the province, in western Ontario. We agree. We agree we had to move away and there had to be a major impact by government to try and stimulate major industrial develop-

ment east of Toronto; and that's the purpose for which we have bought this land.

I say to you, Mr. Speaker, that while I at the time openly admitted not knowing of it—

Mr. Lewis: That's called truth.

Hon. Mr. Bennett: —not knowing the principles by which it was being acquired for the type of industry, I'm at least willing to admit to you today that the decision we are making is right and in the best interest of eastern Ontario and was supported by our guests at lunch today.

Mr. Bullbrook: Now it's the turn of the Provincial Secretary for Resources Development.

Mr. Lewis: Just by way of supplementary.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Maybe I didn't understand. Maybe I didn't hear the reply in its entirety, I missed something.

An hon. member: That's not unusual.

Mr. Lewis: What did the minister mean when he said, options taken by four ministers?

Mr. Cassidy: And who were they?

Mr. Lewis: Who were the four ministers? How does it work over there, Mr. Speaker?

Hon. Mr. Bennett: Mr. Speaker, as far as I am concerned that is a confidential piece of information of cabinet.

Interjections by hon. members.

Hon. Mr. Bennett: He'll never find out how it operates because he's always negative.

Mr. Lewis: Who was it? Mr. Speaker, will you call him to order and insist that he answers?

Mr. Speaker: The minister is answering.

Mr. Lewis: By way of further supplementary: Since the minister has put on the record now for the first time that the way in which the cabinet in Ontario operates in the acquisition of land is that four ministers in secret set options under way—

Interjections by hon. members.

Mr. Lewis: That's what was said. That's exactly what was said.

Interjections by hon. members.

Mr. Lewis: I think the Legislature and the public have a right to know—

Mr. R. F. Nixon: It is what he said.

Mr. Lewis: —who the four ministers are. Would the minister give us their names?

Mr. MacDonald: What version of COGP is this?

Mr. Lewis: Who are the four ministers?

Mr. Speaker: Order, please. You've asked a question.

Hon. Mr. Bennett: Mr. Speaker, I do not intend to get involved in the four ministers who were involved, but let me correct the NDP leader because it is obvious he doesn't understand English. It is obvious he doesn't understand.

Interjections by hon. members.

Hon. Mr. Bennett: Just hold on a minute. The ministers did not acquire the land and I did not use that statement.

Mr. Lewis: Put the options on it then. Who were the four people?

Mr. Ferrier: Tell us the four.

Hon. Mr. Bennett: That is a big difference from acquiring land, which I understand the leader of the NDP was accusing us of. There were four ministers who operated with the permission of the Premier in placing options on the land, which I think is in the best interests of the government.

Mr. Speaker: The Leader of the Opposition.

Mr. Lewis: That's quite a way to run the government of this province.

Mr. Speaker: Order, please.

Hon. Mr. Bennett: The member will never find out; so don't worry.

Mr. Lewis: That may be but the government is on the way out. I know the Provincial Secretary for Social Development (Mrs. Birch) and the Minister for Community and Social Services (Mr. Brunelle) are two of them.

Mr. Roy: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Ottawa East with a final supplementary on this.

Mr. Roy: Mr. Speaker, a question of the minister: In view of the fact that none of

the three cabinet ministers from eastern Ontario apparently, according to his answer, was consulted, has he objected to his leader about this, that there was no input from eastern Ontario in this decision?

Mr. Lewis: There wasn't any.

Hon. Mr. Bennett: Mr. Speaker, obviously the member from Ottawa East isn't listening much or being realistic at the moment.

Mr. Lewis: London and Brampton decide for Spencerville.

Hon. Mr. Bennett: I think I clearly indicated to this House that the ministers from eastern Ontario had made their position very clear in cabinet and to the Treasurer.

Mr. Shulman: But nobody paid any attention to the minister.

Hon. Mr. Bennett: Let the member just hold on, if he'd like to listen, but obviously he wants to continue to yap here as he does everywhere else.

An hon. member: They don't want to hear it.

An hon. member: The ministers have not got anything to say.

Hon. Mr. Bennett: Mr. Speaker, very clearly I said earlier in my remarks that the ministers from eastern Ontario had made their position known, and what they believed was required to make the economic improvement and industrial improvement in eastern Ontario a requirement.

Mr. Lewis: They told their little politburo of four.

Hon. Mr. Bennett: We indicated it to the Premier and to the Minister of Treasury, Economics and Intergovernmental Affairs, who does the planning, and it was left at that point. It was not a decision that was made without any understanding of what the members from eastern Ontario believed in. As to the location of acquiring the land, that was left to the Treasurer and those that he believed were best qualified to make it.

Mr. Speaker: Does the Leader of the Opposition have further questions?

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. R. F. Nixon: I have a question of the Premier. Would he explain to the House the procedures for acquiring the land under these circumstances and what would lead him to put to the hon. minister who has just spoken in charge of this development, when the minister said he has made his position clear, and in the press it is as follows:

> Whoever is assembling the land won't get any encouragement from me and it is extremely difficult to believe that the government can justify such a purchase.

An hon. member: Is the Leader of the Opposition against the idea?

Hon. Mr. Davis: Mr. Speaker, I'll answer that question very simply. The Minister of Industry and Tourism has a very obvious interest in his responsibilities for industrial development in eastern Ontario. In my view, industrial development in eastern Ontario can take several forms, one of them being, as the minister has already referred to this afternoon, a growing programme, which will be announced by the minister.

Mr. R. F. Nixon: But how does the Premier fire the man? That's the question.

Hon. Mr. Davis: Listen, let me finish and I'll say what I have to say.

Mr. Roy: Answer the question.

Mr. Lewis: Calm down. This isn't the Board of Trade. Relax, we know the Premier.

Hon. Mr. Davis: The programme will involve the municipalities in development of their own industrial parks as it relates to their particular needs. The government of this province feels, and feels very strongly, that there must be some focus, some locale, for the potential of major industrial development.

Mr. Speaker, I can't give you any guarantees as to exactly what may occur. I just think back that if five years ago the government had had such a site maybe—and it's just a maybe—the extension—

Mr. Roy: Who was in power then five years ago?

Hon. Mr. Davis: Never mind. I wasn't. If five years ago we had had this site available, just maybe, instead of having the continued pressure of growth in Hamilton, Toronto and now on to Lake Erie, it might have been viable, and I say might, for the location of a major primary industry in eastern Ontario.

But I say, Mr. Speaker, that while all industrial development—

Mr. Cassidy: The government had 33 years to get to that point.

Hon. Mr. Davis: —has pluses and minuses —and I know them—there is no question that the effect in terms of housing, and in terms of secondary industry, is significant. And from the reaction I get in eastern Ontario, this is what the people want in a qualitative sense and also in terms of their own economic future.

Mr. Lewis: Now then, how did he acquire the land?

Hon. Mr. Davis: And I think, Mr. Speaker, it makes great sense. I have yet to hear anybody on the other side of the House oppose it. I find this intriguing. They are trying to have their fun; and that's great. But they should get up and say they are opposed to it if they don't think it's a good idea.

Mr. Roy: It is fun.

Mr. Reid: It is all in the way they do it.

Hon. Mr. Davis: We think it has great potential for eastern Ontario and that's why we are doing it.

Mr. Lewis: It is the manner of doing it.

Mr. Speaker: May I just remind the members that this is the question period not really the debating hour, and it's developing into a debating period. Does the hon. Leader of the Opposition have further questions?

Mr. R. F. Nixon: I have a supplementary, with your permission sir.

Mr. Breithaupt: I have a supplementary, too.

Mr. Speaker: Twenty minutes of the 45 minutes have gone to the Leader of the Opposition. I realize there are other people with other questions to other ministers.

Mr. Cassidy: You should stop him, Mr. Speaker.

An hon. member: Give him 25; he will likely hang himself.

Mr. Speaker: Order please. There has been a great deal of time spent on one topic. There may be other members with other questions. I'll ask you to be short. Does the Leader of the Opposition have a supplementary question?

Mr. R. F. Nixon: Yes; I'd simply like the leader of the government to indicate how the government proceeds in the acquisition of the land without consulting the ministers from the areas concerned.

Hon. Mr. Davis: Mr. Speaker, there are two distinctions which have to be made, which perhaps haven't yet penetrated to the Leader of the Opposition. The determination was made to take certain options.

Interjection by an hon. member.

Hon. Mr. Davis: There is a very real distinction between options and making a decision to purchase.

Mr. Roy: The Minister of Industry and Tourism can't keep it straight.

Hon. Mr. Davis: There was a decision made to acquire options, which the government felt—and properly so—should be done on a totally confidential basis. This was done.

Interjection by hon. member.

Hon. Mr. Davis: The determination to exercise these options to actually acquire the land was made by the total cabinet.

Mr. Lewis: Supplementary, if I may?

Mr. Speaker: A final supplementary on this.

Mr. Lewis: Since I presume that the Premier has a manner of going about the optioning of land—which is the same in the 4,000 acres of Durham as it is in the 10,000 acres around Spencerville—who are the four cabinet ministers with permission from the Premier, who make these decisions in advance of a purchase? And why is it not possible to share this information with the cabinet as a whole so that in the process of optioning land, destructive and argumentative statements are not made by cabinet ministers inadvertently which prejudice the proposal?

Hon. Mr. Davis: Mr. Speaker, I only sense from the leader of the New Democratic Party that he supports this proposition; and I am delighted to hear that. It's the first positive thing I've heard in the last two days emanating from the other side of the House.

Mr. Lewis: Answer the question.

Hon. Mr. Davis: We are appreciative of that support. I could only say to the leader of the New Democratic Party there is no set pattern as it relates to these matters in terms of decisions to acquire options.

Mr. Reid: All of a sudden the Premier is getting interested in the democratic process.

Hon. Mr. Davis: And I emphasize the very real distinction between options, and then the decision to purchase.

Mr. Shulman: Who are the four?

Mr. Lewis: Who are the four?

Mr. Speaker: Any further questions? The Leader of the Opposition?

The member for Scarborough West has a question.

Mr. Lewis: I will pursue it and then, Mr. Speaker, you'll have your supplementary. Who are the four? How does this cabinet, this government function in massive land acquisition?

Mr. Yakabuski: Smokescreen.

Mr. Lewis: Who are the four ministers who make the decision, apart from the Treasurer? That's one of them.

Hon. Mr. Davis: Mr. Speaker, I just don't intend to divulge how cabinet functions; that is our responsibility. If the member doesn't agree—

Mr. Lewis: It is public money; it is public land.

Interjections by hon. members.

Hon. Mr. Davis: —with the decisions that we have made, then he should please say so.

Mr. Lewis: It is legitimate to know how the Premier operates; this is a public business here.

Interjections by hon. members.

Hon. Mr. Davis: I say this to the hon. member: The decision was made by government and the ministry to acquire options.

Mr. Lewis: No. There were only four of them.

Hon. Mr. Davis: On the options.

Mr. Lewis: Who are the four who do that?

Hon. Mr. Davis: And the decision to acquire was made by the total cabinet. As to who the four are, with great respect, I don't think it is relevant.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, a supplementary.

Mr. Cassidy: We will see about that.

Mr. Breithaupt: Since the Minister of Industry and Tourism—

Mr. Lewis: It becomes more and more a privileged few; more and more a family compact in Ontario.

Mr. Speaker: Order please.

Hon. J. White (Minister without Portfolio): Go on. If the member doesn't like it, vote against it.

Mr. Lewis: Go where?

Mr. Breithaupt: A further supplementary for the Premier, Mr. Speaker: Since the Minister of Industry and Tourism appears not to favour this particular project, is it the Premier's intention to either remove those responsibilities from the minister or to remove the minister from his responsibilities?

Hon. Mr. Davis: Mr. Speaker, I listened very carefully to what the minister said this afternoon. He concluded his remarks by stating, as I recall him so saying, that he not only supported the project but that it had great potential for industrial development of a significant nature in eastern Ontario.

Mr. R. F. Nixon: He has been reading the Premier's speeches again.

Hon. Mr. Davis: I have no intention of removing the responsibility for this development from that ministry. I have no intention either of removing the minister from that responsibility in terms of the ministry. But I would only say to the hon. member, the thing that disturbs the people across the House is that he does it so darn well. That upsets them, I know.

Mr. Roy: Don't worry, we'll take care of him.

Mr. Speaker: The member for Scarborough West.

Interjections by hon. members.

Mr. Lewis: We hear from knowledgeable insiders that he's off his nut, as a matter of fact.

Interjections by hon. members.

ROSS SHOULDICE

Mr. Lewis: To restore the Premier's sense of the adversary in the Legislature, since he is concerned about amity, may I ask him: In light of the editorials in many of Ontario's

major dailies today indicating unanswered questions that emerged in the last 48 hours in the press and in the Legislature, in light of the evident anxiety on the part of one member of this Legislature who feels deeply that he was wronged, in light of preserving the integrity of the political process and in terms of the Premier's capacity to set terms of reference which include a commissioner's right to make reflections on the way the media handled things, on the conduct of opposition members of the House as well as on the government's conduct in the transaction, would he not reconsider the immense public value of having an inquiry into the allegations which have been made?

Hon. Mr. Davis: No, Mr. Speaker. I am just as interested in public value as the leader of the New Democratic Party and I—well I won't go on to say what I nearly said. I do not intend to establish a royal commission. If the leader of the New Democratic Party has certain information that I do not have available to me, fine. If he would communicate this to me, if there are some unanswered questions, as has been suggested in some editorials, then, Mr. Speaker, I would like to know what those unanswered questions are.

Mr. Shulman: Supplementary.

Mr. R. F. Nixon: I have a supplementary, Mr. Speaker. One of the areas that must concern us, following the question from the leader of the NDP, is how in the world do the fund raisers, Shouldice and others, have specific knowledge as to the amount, down to the last cent, of business certain professionals and others do with the government—information that is not available in the public accounts—which leads to the kind of tollgate that Shouldice was imposing in Sudbury?

Hon. Mr. Davis: Mr. Speaker, I have no idea whether he had or had not.

Mr. R. F. Nixon: That should deeply concern the Premier; the fact that such a tollgate exists.

Hon. Mr. Davis: Nonsense.

Mr. Shulman: Supplementary, Mr. Speaker: Inasmuch as yesterday the Premier said that when the file was laid in front of the members of the opposition and the press they would then be satisfied and not require a royal commission, since obviously neither the press nor the opposition is satisfied, and in view of his statement yesterday, doesn't he think it would be prudent to get himself off the hot seat and order a royal commission?

Hon. Mr. Davis: No, Mr. Speaker, I don't think so. If the member for High Park has examined the file and there is something in the file he doesn't understand, I am sure the Minister of Transportation and Communications (Mr. Rhodes) will answer it for him. I can only assume from his question this afternoon that there is something in that file that he doesn't understand and I don't know why he doesn't ask. The Minister of Transportation and Communications will answer.

Mr. Breithaupt: We would like to see all the file.

Mr. Speaker: Does the member for Scarborough West have further questions?

ENVIRONMENTAL HEARINGS ON LEAD

Mr. Lewis: Well, in light of the time, I have just one more question, Mr. Speaker, of the Minister of the Environment. In view of the fact that the lead smelters and the lead refineries in downtown Toronto are turning the environmental hearings into a forum for company propaganda, is the minister prepared to provide some financial support to the board of health in Toronto to allow the recognized experts, national and international, to appear before those hearings and to provide some balance to the distortions which now exist?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, one of the suggestions was that I should meet with the Toronto Board of Health. I think it would be very inappropriate at this point in time, while the hearings are going on, because the hearing board will be reporting directly back to me. If the board of health has concerns about certain witnesses it feels should be called, then I think that it has an obligation to go to the hearing board and tell the chairman and the hearing board exactly where it feels the inadequacies are, if there are any, and make its request there. I think that should be properly directed to the chairman of the hearing board.

They do not know what witnesses will be called at this point in time. Some of them are jumping to conclusions at this point in time and we feel they should put their case before the chairman of the board.

Mr. Lewis: By way of supplementary, is the minister saying that if the case was put before the chairman of the board the chair-

man of the board has the authority to invite the witnesses and pay some of the costs to allow the relevant evidence to be put?

Hon. W. Newman: The reason we asked the board to take on this hearing was to let everyone have an opportunity to express their points of view, their ideas and their concerns before this board. If there are any concerns it is up to the board to make recommendations and decisions.

Mr. Lewis: Will the board finance witnesses?

Hon. W. Newman: No, Mr. Speaker, but certain witnesses can be called and some witnesses probably will be called by our ministry.

Mr. Speaker: The member for Sarnia.

ROSS SHOULDICE

Mr. Bullbrook: May I ask a question of the Premier? Would the Premier reconcile for me his statement given to this House on Nov. 21, 1972, wherein he said at page 4696:

> Since becoming leader of the party I have followed a policy of refusing to inquire into the matter of the financing of party activities.

with his statement to this chamber yesterday:

> As a result of that meeting, I spoke to Mr. Kelly, the treasurer of the party in the Province of Ontario, and told Mr. Kelly that Mr. Shouldice was not to be involved in any further aspects of the party organization or fund raising.

The second part of my question: Would the Premier regard those statements as just an inconsistency or are they totally and diametrically opposed one from the other?

Hon. Mr. Davis: Mr. Speaker, they are totally consistent. I said then that I was not involved in fund raising as far as the party was concerned, and when it came to my attention that Mr. Shouldice was raising this matter with me, I communicated this to Mr. Kelly and told him from my standpoint—which point of view, incidentally, Mr. Kelly supported—that Mr. Shouldice was not to be further involved. I think they are totally consistent.

Mr. Bullbrook: One supplementary if I may: The Premier says to this House that he was not involved in the matter of the financing of his party's activities. On Nov. 21, 1972, he tells us that; that very month he told Mr. Kelly to get rid of Mr. Shouldice as a fund raiser.

Mr. J. A. Renwick (Riverdale): The member is a year out.

Mr. Lewis: It was a year earlier.

Hon. Mr. Davis: As a matter of fact, I told him in November, 1971.

Mr. Bullbrook: A year earlier?

Hon. Mr. Davis: That's right.

Mr. Bullbrook: Is that not an involvement in the matter of the party's financing?

Hon. Mr. Davis: No, it is not.

Some hon. members: No?

An hon. member: It certainly is.

Interjections by hon. members.

Mr. Bullbrook: You say, "It certainly is"? And the Premier is involved—the Premier and Kelly. That is why the member for Armourdale (Mr. Carton) has to agonize, because of the Premier's method of doing it.

Mr. Speaker: The member for High Park.

REMARKS BY CROWN ATTORNEY

Mr. Shulman: I have a question of the Attorney General, Mr. Speaker. Inasmuch as his Crown attorney David O'Connor has admitted saying outside of the court that—I quote him—"I did use the phrase, 'I want to get the bastard'" in referring to a case in which he is acting Crown attorney where he is prosecuting a certain Ben Ellis, does the Attorney General not think, in view of his obvious personal involvement in this case, that he should be removed and another Crown attorney replace him?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, I am not aware of the comment made; I am not aware of the court where the comment was made. Perhaps the member could give me further particulars and I will look into it. I have no knowledge of the matter whatsoever.

Mr. Speaker: The member for Downsview.

POLICE RAID ON HOTEL

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Solicitor General. In view of the report yesterday made by His Honour Judge Pringle regarding the Landmark incident and the strong

condemnation that he levelled at the police procedures that took place during that raid, and in view of the comments made by Elmer Bell, the head of the Ontario Police Commission, in advance of any inquiry, and in view of the comments made by His Honour Judge Scott, the local county court judge who is the head of the police commission in that area, also in advance of Judge Pringle's inquiry, would the Solicitor General not agree that the time has come to remove Elmer Bell from the Ontario Police Commission and to remove His Honour Judge Scott from the police commission of the Niagara Falls area?

Hon. Mr. Kerr: Mr. Speaker, the hon. member will recall that on a number of occasions last spring, while this matter was before the House, we discussed a remark allegedly reported to have been made by Mr. Bell. He has denied that he made that remark as indicated by the hon. member. Under those circumstances I don't feel there is any reason for Mr. Bell to resign.

Mr. Singer: Mr. Speaker, as a supplementary: What about the remarks of Judge Scott, who was the head of the police commission and certainly was quoted, and never denied having said, "There is nothing wrong. I have looked into it and I am satisfied that everything went on well"? Shouldn't those two gentlemen be above and beyond prejudging police actions because of their positions and, since neither of them have been, shouldn't they both go?

Hon. Mr. Kerr: I don't want to comment on Judge Scott's remarks. Again I haven't had it confirmed that he had said that. There is a report to that effect. For example, how much did he look into it—

Mr. Singer: Then he should not have commented—and the Solicitor General should not have either.

Hon. Mr. Kerr: Right, he commented. There were a number of comments during those days, as the hon. member will recall; some of them were unfortunate and some were quite accurate. But in any event, Judge Scott has indicated that because of certain federal legislation he intends to resign anyway.

Mr. Speaker: The member for Riverdale.

Mr. Renwick: By way of supplementary question, will the minister let me know what he meant when he was reported to have said that the report was predictable, and that the only matter to be dealt with really was to have an amendment to the Narcotics Control Act of the federal government?

Mr. Speaker: It seems to me that it is a new question, and it is the member's turn for one, so we will call it a new question.

Hon. Mr. Kerr: Mr. Speaker, I had indicated that the report was predictable, particularly in respect to recommendations regarding amendments to the Narcotics Control Act. I didn't say, as the hon. member has indicated, that the only thing to do would be to make those amendments. Certainly there are a number of—

Mr. Singer: Mr. Speaker, by way of supplementary, what is the Solicitor General going to do?

Hon. Mr. Kerr: Mr. Speaker, we will be following up representations that have already been made, that were made by the Attorney General last spring and have been made by me to the federal Minister of Justice regarding section 10 of the Narcotics Control Act.

Mr. Singer: What is the minister going to do about the police?

Hon. Mr. Kerr: Also, as the report indicates, there must be better planning and coordination of operations of this kind.

Mr. Singer: How can the minister arrange that?

Hon. Mr. Kerr: That can be done by better training and better planning.

Mr. Singer: What is the minister going to do about it?

Hon. Mr. Kerr: As far as intelligence units are concerned, again there should be better organization within the force as far as these units are concerned, and better training. I believe constables and officers involved in operations of this kind should receive special training, should be trained apart from the normal duties. There are a number of things that can be done.

Mr. Speaker: The member for Waterloo North.

CENTURY CITY

Mr. E. R. Good (Waterloo North): Mr. Speaker, a question of the Minister of Housing: In view of the fact that we were to have amended the Planning Act so that the mortgage problems in Century City would be cleared up, is the provincial government pre-

pared to help those people who are now fighting their cases through the courts to have their mortgages validated and are finding that Century City is appealing these decisions which have been in favour of the farmers in the area; and are being delayed by appeals by Century City to the appeal court and probably to the Supreme Court? Does the minister not feel that the province should help these people in their prosecutions when it was the legislation that existed at that time which created all the problems in Century City?

Hon. Mr. Irvine: Mr. Speaker, that question should be addressed to the Attorney General.

Mr. Good: Well it is the minister's legislation.

Mr. R. F. Nixon: Or the Treasurer.

Mr. Good: Mr. Speaker, could I have the Attorney General answer it then please?

Hon. Mr. Clement: I was reading the story about the Crown attorney. Would the member repeat the question?

Mr. Lewis: He was not; he was reading a story about body rub parlours.

Mr. Speaker: You may redirect your question.

Mr. Good: In view of the fact that the Planning Act was amended last year to take care of the problems regarding the validity of mortgages in the Century City area and that these cases are now before the courts, would the Attorney General consider the idea of the province helping the people fight their cases, which are being appealed by Century City to the appeal courts and then to the Supreme Court to try to get around the validity of the legislation that we passed last fall to help these people validate their mortgages?

Hon. Mr. Clement: Thanks, I appreciate the member repeating it, since in fact I did not hear the question.

I don't visualize, outside of the legal aid system which applies in this province to those who qualify, that the role of the Ministry of the Attorney General is to provide legal counsel in civil proceedings against any corporation or any other individual. I ask the member to seriously consider that concept if he validly put it forward, in terms of conflict of interest insofar as the Crown law officers are concerned, and in terms of cost to all the taxpayers of this province. No, I have not considered that at the present time.

Mr. Good: Supplementary, Mr. Speaker: In the knowledge that I have these are not civil suits, these are court actions regarding the validity of the mortgages which were at first considered invalid because of provincial legislation; since then the legislation had been amended so that these mortgages would be validated. Now this is an entirely different matter from a civil action against Century City, I think. It's a matter of the validity of the legislation.

Hon. Mr. Clement: With respect, Mr. Speaker, to the hon. member, it is civil legislation or civil litigation. If a federal constitutional aspect is involved, then there are procedures whereby the federal Department of the Solicitor General or Department of Justice are involved if any of their legislation is questioned. The same thing applies here.

The member is quite correct if he is assuming that if a constitutional issue arises the Attorney General may well have some kind of contribution to make. But this is not on the part of any individual party to that suit, but more as a amicus curiae or as an assistant to the court to assist it in making the constitutional determination.

I know of no such request being made to my ministry. I will look into it, but I'm not aware that any such request has been made by any party.

Mr. Speaker: The member for Riverdale.

LAYOFFS AT INGLIS

Mr. Renwick: Mr. Speaker, I have a question of the Minister of Industry and Tourism. Is the minister aware that upwards of 600 workers will be laid off by Inglis Ltd. at 14 Strachan Ave., Toronto, for at least two weeks from Feb. 17 next, because substantial excess inventories of washers and dryers manufactured by Whirlpool Corp. the US company which controls Inglis Ltd., are being imported and marketed through Inglis Ltd. and under its trade name?

What provincial laws or federal laws, if any, protect the workers at Inglis in these circumstances? Will the minister look into this matter immediately with Inglis and with his colleague the Minister of Labour (Mr. MacBeth), and with his opposite member in Ottawa, to stop this from taking place and report to the House?

Hon. Mr. Bennett: Mr. Speaker, I am not aware at this moment of the particular case of 600 workers with Inglis. It could very well be the Minister of Labour and our district office people are reviewing with Inglis the problems they are encountering. With regard to the aspect of the importing of certain components from the manufacturing or the parent company in the United States—

Mr. Renwick: They're completed units.

Hon. Mr. Bennett: If they are completed units or otherwise, Mr. Speaker, under the tariff arrangements they are quite often allowed to come in. We have had some negotiations and we will be conducting some further negotiations with Mr. Gillespie on March 10 and 11 relating to importing of goods.

Mr. Renwick: That will be too late.

Hon. Mr. Bennett: Mr. Speaker, it may be too late; that I fully accept. We have talked to Mr. Gillespie and the federal people not only for Ontario but for other provinces collectively. We have tried to get some changes in the tariff position to afford protection, not only to this industry, the white goods industry, but all through the brown goods industry and the garment industry. I can only repeat, Mr. Speaker, that we will continue to press the point as we see it from an industrial point of view in the Province of Ontario.

Mr. Renwick: Mr. Speaker, by way of a supplementary question: I don't think the workers at Inglis will think it's timely to wait until March. What conceivable reason could there be, with the depression in the United States, that excess inventories of goods such as this could be displaced into the Ontario market for the purpose of destroying jobs in the Province of Ontario?

Hon. Mr. Bennett: Mr. Speaker, it's been the situation for many years that we have allowed imports into Canada under tariff regulations. And that's exactly how this equipment is coming in and, depending on whether it's manufactured in Canada or not, the tariff rate is set accordingly.

I would not think we are in any position to exclude Inglis, any more than any other company, in bringing their imports into the Province of Ontario. I may just say that trade is a two-way street and we still have some fairly good contracts going with other countries of the world as well. I will be glad to look into the Inglis situation and discuss it with them. I have already talked to their president months ago, who indicated to me at that time they were experiencing a very soft market situation.

Mr. Speaker: The member for Grey-Bruce.

HIGHWAY PLANS IN BRUCE AREA

Mr. Sargent: Mr. Speaker, I have a question of the House leader, the Chairman of the Management Board of Cabinet. The minister is quoted in the Durham Chronicle by one of his admirers.

Mr. Roy: One of the few left.

Mr. Sargent: The quote is:

> Mr. Winkler said that any plans for a four-lane highway have been scrapped by the province because it would attract a tremendous amount of development in this area and it would be incompatible with agriculture.

Was the minister misquoted, or shall we fire all our industrial commissioners in the Grey-Bruce area?

Hon. Mr. Kerr: That makes sense.

Hon. Mr. Winkler: Mr. Speaker, I consider that a rather facetious question and I'll tell the member why. At a meeting some weeks ago, when I met with quite a substantial number of farmers in the area, we were asked our opinions of certain questions. I said nothing about scrapping any highway plans for any four-lane highway. I simply made reference to the planning that I had been made privy to some considerable time ago, and I said it wasn't in that plan. That's exactly what I said and I stand by what I said there.

Mr. R. F. Nixon: Has the Ministry of Industry and Tourism consulted him?

Hon. Mr. Winkler: And of course if the hon. member wants to walk around the country saying he's going to scrap industrial commissions that's his business not mine.

Mr. Sargent: The minister is sick.

Hon. Mr. Winkler: Not as sick as the member.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

Introduction of bills.

ENVIRONMENTAL PROTECTION ACT

Hon. W. Newman moves first reading of bill intituled, An Act to amend the Environmental Protection Act, 1971.

Motion agreed to; first reading of the bill.

Hon. W. Newman: Mr. Speaker, the purpose of this bill is to amend the Environmental Protection Act and to grant the local municipalities the right to pass bylaws to control noises.

Mr. Lewis: What does that mean? What use is that?

Mr. Speaker: Order please.

Mr. Lewis: Mr. Speaker, before the orders of the day, could I ask the House leader: Since it is a statutory requirement now for the Workmen's Compensation Board to appear before one of the committees of the House during the course of the session in which the report is tabled, that is this session, can he tell us when that will occur?

Hon. Mr. Winkler: Mr. Speaker, I communicated some time ago with the Minister of Labour and the chairman of that standing committee and that order of business will be called.

Mr. Roy: Could I ask the House leader whether or not we are sitting tomorrow?

Hon. Mr. Winkler: No, we are not sitting tomorrow.

Mr. Roy: Could he tell us why?

Mr. Speaker: Our orders call for no Wednesday sittings except by motion.

Orders of the day.

NOTICE OF MOTION No. 1

Clerk of the House: Resuming the adjourned debate on notice of motion No. 1 respecting the report of the electoral boundaries commission, dated Dec. 5, 1973.

Mr. S. Lewis (Scarborough West): It is called regrouping I think.

Mr. Speaker: The hon. member for St. George had the floor I believe.

Mrs. M. Campbell (St. George): Mr. Speaker, thank you, I will be brief with my comments. I would, first of all, like to say that I have already expressed to the Clerk my very real position that this commission exceeded its authority in the way in which they dealt with the riding of St. George.

When I was elected in 1973 my riding was a Scotty dog. What this commission has done to my riding is to remove the face of the dog and make it pregnant, and I do not think that is within the jurisdiction of the commission.

Mr. E. J. Bounsall (Windsor West): Pretty versatile dog.

Mrs. Campbell: In seriousness, Mr. Speaker, I have some concerns about the way in which this matter has been reported to us. First of all, having been a member of the Toronto City Council when we concluded—and I certainly concluded—that the block system was the most appropriate system to ensure proper representation for the people of the city, I must add my voice to those who have questioned the fact that the block system appears to have been discarded.

I must also say, while I understand the need for some flexibility as between the rural ridings and the urban ridings, in my opinion, there is too great a disparity between the Toronto ridings and at least some of the rural ridings. I would like to make it clear that I recognize the particular situation in northern Ontario. But I do not think, for example, that one can conclude that Muskoka is in northern Ontario or should be treated so differently from the urban centres.

Surely it is time that we move more closely to ensuring that each person's vote in this province counts as closely as possible as one vote. As it is now, we have heard from our House leader of the great disparity and I would suggest that certainly the city of Toronto has been shortchanged in the report which is before us. If one assumes that 30,000 people would be sufficient for a riding which is not in the north part of Ontario but that 72,000 average or more should be the proper distribution of population in the urban centre, I am sure that all of those who are rural representatives would be fair-minded enough to understand that this does create serious problems.

The urban centres today are facing enormous problems and they will be continuing in their complexity, as I see it, for some time to come. To permit the people of such areas to be so under-represented is, to me, a grave inequity which ought to have been corrected in this report.

Mr. Speaker, there is not much point in my going over the arguments on the block plan. There is really not much point in my

going over these discrepancies. But I am of the opinion that this should be reconsidered. It is interesting that at the time when I so thoroughly embraced the block system at the city level, I was deeply criticized by some who felt that it would affect their position at the polls. I am now saying it when it could or could not affect my own position. But I think it is time that we looked at these things from the point of view of principle and not from any other point of view.

It is for this reason, Mr. Speaker, that I rise on those points. Of course, I do not wish to speak further of my own riding specifically. I just feel that the principle is involved and that the people of the city of Toronto ought to have a right to be heard, if nothing else, with reference to these proposals. I cannot begin to understand why the people of the province should be cut off from having an opportunity to enter into an exchange in this matter, rather than the more sterile position of being forced to submit some written documents. There is no way really that one can assess the position of an electorate without that exchange between the people and those conducting the survey and arriving at a report.

So, Mr. Speaker, on all three points I am with my House leader. I endorse all that he has said, and I see no reason to prolong my statement. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Yes, Mr. Speaker, I'd like to make a few comments on the resolution that is before us.

One of the things that has bothered some of us is that the changes that went on were made without any consultation with the people concerned. No rationale was given for the changes and people are wondering what the reasons were. No hearings were held and it seems to me a pretty high-handed way of doing things without meeting with the people who are directly concerned or without asking for any representations from them. It's consultative democracy or participatory democracy, whatever you want to call it, at its very worst. It seems to me that this commission had an obligation to meet with the people and to discuss some of the changes that took place. One thing that bothers me very much is the decreasing voice that northern Ontario will have as a result of this report. The guidelines said there were to be no fewer than 15 seats, but the total seats are increased from 117 to 125 by this report, which means that we in northern Ontario will have less of a voice here in Queen's Park than we have had heretofore. There is a great unhappiness in northern Ontario that attention is not being paid to our needs and this report will just confirm that, that we are going to have even less of a say than we have had heretofore. We in northern Ontario don't feel that we have had sufficient attention paid to our needs in our considerations in this assembly and in the governing of our province.

Perhaps one might say that population growth hasn't taken place in the north as it has in some of the other parts of the province, and those of us in the north are only too well aware of the slowness of growth and development in our area. We are aware of our lack of facilities and amenities and we feel that the government itself has not made much of an effort to bridge this disparity and slow growth to promote growth and development in the north together with the rest of the province.

We are going to be deprived of some of the political voice that we have had in the past. One of the reasons for the lack of voice is the great masses of land that some of the members in the north have to serve. The municipalities in the north have difficulty at times coming down here to Queen's Park to make their representations on certain things. That geography itself makes it difficult for people to get down here as can some of the people who can jump in a car and in an hour's drive be at Queen's Park.

I think those kinds of things should be taken into account when redistribution is being carried out like this. And they weren't considered, obviously, by this commission.

I think that at least one other seat should be put into northern Ontario. The average seat in the north seems to represent about 50,000 people, but there are some glaring deviations from that principle. We have seen that Sault Ste. Marie, for instance, has 80,000 population in the proposed seat there, and yet right around it are two seats that have a good deal less than that. Algoma has in the neighbourhood of 30,000 population and Algoma-Manitoulin about 31,500.

It seems to me that Algoma is considerably smaller as far as population is concerned. In view of the fact that Nickel Belt is a very large seat in terms of area, one wonders why places like Chapleau and Foleyet, perhaps, could not have gone to Algoma. It seems to me that around that whole area of Sault Ste. Marie some significant adjustments could be made and another seat carved out in the north, to give extra political voice for the

north in this assembly and so that some of the problems around that situation in the mid-north could be taken into account.

I feel that as things now stand we in the north are again getting a kick in the teeth from the political centre of this province. We are going to have less voice when we need more, in view of the difficulties we have been confronted with, such as the distance from Queen's Park, and the difficulties our municipal people have in getting down here to make representations. We need more of a clout as far as getting development and promotion is concerned.

I feel, Mr. Speaker, that there should have been not just a move to preserve the seats that we had, but some effort to give us more of a political voice by at least one more seat. I am not happy with what has gone on. I think more recognition needs to be given to the north than has been given in this report that has been brought in.

Mr. Speaker: The hon. member for Welland.

Mr. E. P. Morningstar (Welland): Mr. Speaker, I rise this afternoon on behalf of my constituents in the municipality of Fonthill within the riding of Welland. The report of the Ontario electoral boundaries commission proposes to remove this municipality from the riding of Welland. As the representative for this area for nearly 24 consecutive years, I strongly urge the commission to reconsider this decision.

As provincial representative since 1951, I have watched this area develop into an integrated unit. I have seen the relationships between the municipalities and the people become interwoven, and I have watched the area grow, each part contributing to the whole.

Mr. M. Cassidy (Ottawa Centre): The mem- has never spoken before.

Mr. Morningstar: Fonthill has traditionally been a part of Welland county—

Mr. Cassidy: Not in 24 years.

Mr. Morningstar: —and in my 24 years of public service in this area, I have come to know the people and they, in turn, have looked to and relied upon the member for Welland as their representative. Strong bonds of friendship and loyalty have developed over the many years, bonds which are difficult to transfer and which now face a real threat of disintegration. I personally share a feeling of closeness with the people of Fonthill, as I do with all my constituents.

Mr. Cassidy: They give the member his living.

Mr. Morningstar: I have been granted many distinctions by them in the past, such as honorary membership in the Fonthill fire department—

Mr. Cassidy: Right on.

Mr. Morningstar: —and honorary membership in the Fonthill branch of the Canadian Legion.

Mr. J. R. Breithaupt (Kitchener): Reason enough.

Mr. Morningstar: The members of the various clubs and citizens' groups within my riding associate very closely with one another and draw upon all municipalities for their membership and support. I am especially proud of the easy interaction among my constituents—

Mr. Cassidy: What does that mean

Mr. Morningstar: —as all spectrums of society are represented in the Welland riding—farmers, fruit growers, factory and office workers. My office has received numerous telephone calls and letters protesting this disruption of the traditional boundaries, which would result in upsetting the long-standing traditions and characteristics of the riding of Welland.

Mr. Speaker, at this time I would strongly request that the commission reconsider their decision and allow the municipality of Fonthill to remain as part of the great Welland riding. Thank you.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I wish to add a few words in this debate about the redistribution of ridings across the Province of Ontario. I might say, incidentally, that it would have been better if public meetings had been held by this commission.

In the riding that I represent there have been a number of changes; and, of course, they have enlarged the riding, which is known as Kent. One thing about the commission's report is that they have changed the name, which I have been asking for since 1961. In the riding of Kent there are five municipalities of the county of Elgin, and that riding was disillusioned when the riding wasn't called Kent-Elgin when redistribution took place in 1961. However, I see the commission has carried out my wishes, and I wish to say how much we appreciate it and

how much the citizens of Elgin appreciate having themselves recognized in the name of that provincial riding.

I must say, Mr. Speaker, that the county council of Elgin had passed a resolution asking that commission to withdraw those five municipalities from the riding of Kent and put them back into the riding of Elgin. In general, I had no objections in this regard. I know there would be a lot more satisfaction if Elgin was all in one riding. But, as the member for that riding for the last number of years, I would be very disappointed to lose that portion of Elgin county. Since the commission took no action on that resolution, I am very pleased; but I know it will be a great disappointment to the county council of Elgin.

As I say, Mr. Speaker, the commission has enlarged the riding. They have included four other municipalities in the county of Kent which gives the riding an estimated population of more than 50,000. I would say it makes an excellent riding, and I am very pleased; I have no criticism whatsoever. However, I just wanted to bring to your attention that the county council of Elgin passed a resolution asking that those five municipalities in the riding of Kent be transferred to the riding of Elgin. I know it will be disappointing to them, Mr. Speaker, but I must say I am very pleased they left it in the riding to be known as Kent-Elgin. I thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Windsor West.

Mr. Bounsall: Thank you, Mr. Speaker. I might say at the offset that I share my party's concern with the general principles involved in our resolution—the misapplication of some of the basic guidelines in terms of disproportionate representation between the urban and rural areas and the block areas in the city of Toronto, as well as the under-representation that appears to be coming from northern Ontario.

With respect to my own riding, Mr. Speaker, there is one point that concerns me, and that is the name of the riding. I take the opportunity in today's debate to draw it to the attention of the electoral boundaries commission, as I understand that they have said that they will look with a great deal of interest and read very carefully all the remarks made in the debate in the House centring around these two resolutions before they come forth with their final report. If this is not the case, if the bill is in fact ready to go in a particular ministry of the government, I would assume that the same applies there though, and that the remarks that I make today with respect to the name of my riding, being as it is only a small change, can be directly implemented at that stage.

In any event, in whichever stage this can be quickly implemented, Mr. Speaker, the name of my riding, rather than Windsor West, should be Windsor-Sandwich.

Mr. F. Young (Yorkview): He wants to eat.

Mr. Bounsall: Right. Just before I get on to some of the reasons why it should, I might say that with respect to the shape of my riding as it has been redrawn I am completely happy. The initial proposal that came forward contained in keeping an eastern boundary of the riding of Windsor West—that eastern boundary being the westerly boundary of Windsor-Walkerville—that was a complete horror and nightmare in the way it jiggled and jagged around. It had no real reason to so do. The member for Windsor-Walkerville (Mr. B. Newman) made a submission to the commission suggesting that it go up the middle of Dougall Ave. I made the same submission and that submission was accepted by the electoral boundaries commission. It was a wise one and we can certainly now both describe our respective western boundaries and eastern boundaries to anyone who asks us. It is a reasonable line of demarcation.

With respect to the name, however, it is important that this riding be called Windsor-Sandwich for historical reasons. The town of Sandwich, not as an incorporated town, but as an existence, as an entity, under that name, dates from 1788. It represents that westerly portion of the city of Windsor and was the original settlement in the area. One square mile of land was purchased by the British in 1788 and became almost immediately a settlement, and the name of that settlement was Sandwich.

On the current situation, Mr. Speaker, I must admit with respect to names I brought this whole idea to the executive of my riding association at the same time as the submission with respect to the easterly boundary going up Dougall Ave. and I met with, I must admit, a divided response. I proposed that if the urban riding on the east side of Windsor, as it was proposed, be called Windsor-Riverside, and that the centre urban riding be called Windsor-Walkerville, it was reasonable and eminently just that the most westerly urban riding be called Windsor-Sandwich because of the historical connotation. Half of the people with whom I was speaking

bought this idea wholeheartedly. The other half said that part of our problem in Windsor is the old demarcations of the old towns and areas in our city, which now all comprise the city of Windsor. It would be best to tamp down all the old rivalries. In fact, they would prefer to see the ridings called Windsor West, Windsor Centre and Windsor East.

I personally do not agree with them; that is why I am speaking here today. I think there is a bit not only of historical tradition but a bit of romance lost, if those three names were adopted for the purpose of just tamping down any local competition which still may exist. Rather than having the ridings called —to be consistent—Windsor East, Windsor Centre, Windsor-Sandwich, they should be called, as two are proposed, Windsor-Riverside, Windsor-Walkerville, and my riding's name changed to Windsor-Sandwich.

I might say that Sandwich existed as a community under that name 66 years prior to the name of Windsor being used for that centre town, which is what arose, 70 years before the name of Walkerville came into existence in that area, and 133 years before the name of Riverside came into existence in the area. In terms of the oldest name in the area, one which shouldn't be lost is clearly the name of Sandwich, which is the oldest and most historical and, in that sense, the most important.

Sandwich, as I say, came into existence in 1788, and in 1858 became a town. The city of Windsor did not come into existence as a name until 1854 and as a community not until 1828, so that the community of Sandwich pre-dated even the city of Windsor by some 40 years. In the initial instance, the former area of Windsor was not called Windsor, it was simply called "the ferry" and it came into existence simply because that is where the residents of Detroit, in building a ferry to cross the Detroit River, decided that was where that ferry should land. Around that landing point a community grew up and that community was not called Windsor for many years, it was simply called "the ferry."

Hiram Walker, over in what has been referred to as Walkerville, opened up a distillery in 1858. It was at that time that area became to be known informally as Walkerville and finally became a town only in 1890. Riverside itself was never known as such. Informally, it was never a village, it never had a history before the fact that, simply to designate an area of dwellings which had grown up, it became a town in 1921, 133 years after the founding of Sandwich.

I might say that, not only for historical reasons, it's important to call this westerly-most riding Sandwich, but in fact—just to be clear for the commission—back in the 1930s they amalgamated the town of Sandwich, the town of Windsor and the town of Walkerville into one city called Windsor. In 1964, the city of Windsor amalgamated with several of the county areas to the south of it to become the much larger city which we have today.

Prior to the 1964 or 1965 amalgamation where it took in that larger portion, two-thirds of the former city of Windsor was the town of Sandwich, in my riding. Two-thirds of the portion of my riding in the city of Windsor, prior to the amalgamation of 1965, was the old town of Sandwich. After amalgamation took place and they added the much larger area in the county, all the entirety of the rest of my riding on the west side which was incorporated at that time were all residents of Sandwich West township, so the vast majority of the people in my riding lived in the old former town of Sandwich or, from the south part of the riding in its entirety, in the township of Sandwich West. So I would say 85 per cent of the residents of my riding have lived in an area either directly designated as Sandwich prior to 1964-1965 and historically before that were part of the old town of Sandwich.

For these reasons, Mr. Speaker, I would hope that the electoral boundaries commission would make that simple change of the name of the riding from Windsor West to that of Windsor-Sandwich.

Mr. Speaker: Before the next speaker, the acting Speaker would like some direction from the House on how we are going to proceed. There are two resolutions meaning the same thing; one from the NDP and another from the Conservative Party. I did break what we had started last night by the NDP being first and the Liberals at back and by letting the member for Welland speak. Now, is it the wish of those who have presented the second resolution on the government side that you take part in this debate or do you want to save your remarks until we deal with the one resolution and then with the other one?

Mr. Cassidy: They can speak on both, Mr. Speaker.

Mr. Speaker: Yes, they can.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I appreciate you mentioning to us the opportunity to de-

cide whether we speak on this resolution or on the other. But since the resolution which was presented by my colleagues in our caucus seems to follow a certain line, which may be somewhat different from the resolution which we are now discussing. It is the consensus of our group that we would complete that debate and then introduce our resolution and speak to it.

Mr. Breithaupt: Mr. Speaker, that procedure would be satisfactory. Since both resolutions really simply call for a debate based on various reasons, we have felt that it would go in a normal rotational way. However, it is certainly most acceptable to us. We can have our speakers alternate with those of the New Democratic Party. When all who choose to speak have done so, then, Mr. Speaker, if you wish, the second resolution as such could be put and the remarks of members—perhaps particularly if their ridings adjoin or if they wish to follow a certain theme in sequence—could be more expeditiously handled that way.

Mr. Speaker: Yes, I think this was the concern of some of the members. If the procedure is agreed upon, we will proceed as we have been. If there is any member on this side of the House who wishes to take part in this particular resolution, all we have to do is signify the speaker.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I am not just sure of what you have decided to do, but I hope it is in order if I speak briefly at this time.

Mr. Speaker: Perfectly in order. It is your turn to speak now from the Liberal caucus. If the Leader of the Opposition wishes, it is quite in order for him to go right ahead and speak.

Mr. R. F. Nixon: Thank you, Mr. Speaker.

[Applause.]

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): No unanimous consent.

Mr. R. F. Nixon: I wish they would applaud when I finish.

I am very much aware, Mr. Speaker, that it was more than a decade ago when the government decided that the old redistribution procedures should be abolished and the political input into the redrawing of the boundaries should become a thing of history, and that the responsibility must in the future rest on the shoulders of impartial citizens with some special knowledge or with some special responsibility. I recall the redistribution at that time because I believe it was the first occasion when it simply wasn't handled by a committee of politicians in some back room of this chamber. I personally believe this method of impartial redistribution is far superior.

I think it is for that reason that we must not allow ourselves the luxury of indicating that the commission was in any way doing other than their duty in drawing the lines establishing the new constituencies. I have found it extremely offensive indeed that members of this House would allege that any partisan consideration directed the members of the commission. I found this particularly offensive since the chairman is a judge of the bench in this province. If we are prepared to support the system and believe in it, then it is incumbent upon us not to make innuendoes or allegations that their motivation is anything other than impartial.

I feel very strongly about that, particularly since it has been brought to my attention that perhaps I, as an individual member of the Legislature, suffer as much as any from the decisions made by the redistribution commission. The old riding of Brant has been changed substantially. Certainly, this was to be expected, since under the former redistribution boundaries its population certainly was not high compared with the population of other areas.

The riding of Brant as reconstituted has been named, at least by the suggestion of the redistribution commission, as Brant-Norfolk. It extends considerably further than it did previously—right down to Lake Erie. The reason for this as given by the commissioners was that they wanted to follow the new boundary lines of the lower tier municipalities in the regional government established in Haldimand-Norfolk. While I can see the rationale of that decision it has meant that the constituency as proposed has been more far-flung than would otherwise be, since the former boundary was Highway 3, which cuts through Norfolk county and keeps the communities more or less bound together in some areas of mutual concern. But I am not prepared even to suggest that the commissioners reconsider that boundary because I believe that they have been given the responsibility by this House to make a decision not in our best interests as individuals, but in the best interests of the community and the democratic process.

I don't want to sound unduly pious, but I do believe that if we are prepared—as we are

and which we on this side support—if we are prepared to relinquish the powers that are ours under the constitution to establish these boundaries and give it to an impartial commission, then we are going to have to live with the results of their deliberations, even though in some specific areas we feel that mistakes of this type have arisen. I don't personally believe it is a mistake, since I believe it is simply a view of an organization of the community which is inherent in the approach taken by the commission, rather than simply the approach made by an elective politician as to what would be convenient for him or her. Certainly that convenience for an individual must be dismissed and bear no impact at all on the decisions made by the commissioners.

One thing I am delighted at, however, is that in the second report the commissioners saw fit to include the Six Nations Indian reservation within the boundaries of the proposed riding called Brant-Norfolk. I can assure you, Mr. Speaker, I intend to contest the Liberal nomination and I hope I will be the Liberal candidate in that constituency. I am delighted that the recommendation has been made to include the largest Indian reservation in Canada by population. I certainly hope that there is no further change on that basis. The hon. member for Haldimand-Norfolk (Mr. Allan) is taking his seat and he and I more or less share some responsibilities in that area. I know that he is going to express his views, perhaps on the resolution that is standing in the name of Conservative members when we get around to that debate in a few minutes.

There is one other area, however, that has come to my attention and that is that the constituency to be designated Brant-Norfolk does have a very large section, an important section, of Oxford county included in it. There have been resolutions from the newly reconstituted county government in Oxford asking that the boundaries of that county be made the boundaries of any provincial constituency in the future. The problem there, of course, is that the population would be considerably larger than that which would be permissible under the terms of reference given to the commissioners, but I know that the commissioners would at least want to consider the strong position put forward by the councils of Blenheim, Blandford township and the county of Oxford that at least the county be given the consideration they seek.

I would suggest, however, that although it would be a cumbersome name, there is ample justification for including the name Oxford in the name of the constituency, since almost as large an area and probably as large a population from Oxford would be added on to Brant as comes from the former county of Norfolk.

Once again, Mr. Speaker, it is not a simple business for commissioners to take a red pencil and carve out a constituency which includes people with a community of interest and meets the requirements of population that we have put before them in their terms of reference. The old constituency of Brant I think was originally established in the latter days of the Henry administration back about 1932 or 1933. The former member for Brant, my father, used to say that he had been particularly well treated, even though it had been a sort of gerrymandered, partisan redistribution in those days. As a matter of fact, the number of constituencies was reduced, I believe, from 120 to 90.

You can imagine the trials and travails that the government of the day, headed by Premier Henry, had in redistributing in such a way that 30 constituents were lopped off. You can almost understand why his own party wondered at his judgement, and of course the people wondered at his judgement too since he was not successful in his bid for re-election. His campaign slogan that year was "Henry ploughs a straight furrow," which didn't seem to grab everybody's enthusiastic attention in those days. The reference to the constituency of Brant was that my father, the former member, had been the member there since 1919, and the decision was made to dump all the Grits into one constituency. I think the procedure was called "hiving the Grits." That was the establishment of this constituency of Brant which has been represented by Liberals now for a considerable period of time.

Mr. Breithaupt: Not too long, though.

Mr. R. F. Nixon: No, not too long. As a matter of fact, when I am home I don't talk about it being time for a change as vehemently as I do elsewhere. Mr. Speaker, I did simply want to express some of the objections that had come to me from the people in the proposed new constituency of Brant-Norfolk and to indicate that it would probably be one of the more far-flung constituencies in Ontario, short of those in the North. It would include a major part of the county of Brant with the exclusion of the city of Brantford, which my friend, the member, may want to comment on further in this debate. It goes over to include a section of the county of Oxford and then down into the regional municipality of Haldimand-Norfolk,

a very interesting area indeed and one which I say to you in frankness and for your interest, Mr. Speaker, might return a Conservative candidate if the people were prone to vote precisely the way they did in 1971. I hope, however, it will be possible to persuade them otherwise, and there is every reason to believe that that won't be much of a problem.

Mr. Speaker: The hon. member for York North.

Mr. W. Hodgson (York North): Thank you, Mr. Speaker. I feel that I can speak at this time because my name is not on the resolution proposed by the government members, and I do agree with a lot that has been said by previous speakers in other parties.

I feel the commission did a wonderful job as far as drawing lines and dividing up populations, but that's as far as it went, as far as the area that I represent is concerned. Mr. Speaker, if you think of those who might be familiar with the area that I represent, the new proposal is to go from nine miles west of Brampton along Steeles Ave. over as far as Bathurst St., go up Bathurst St. to within a mile and a quarter of Aurora, go across the proposed 404, back down the east side of 404 and go over to Ontario county, the boundary between Ontario and the region of York, then back up to the north end across from Markham.

Mr. Cassidy: Has the member no feeling for the member for York Centre (Mr. Deacon)? That's what it's all about.

Mr. Speaker: Order, please.

Mr. W. Hodgson: The member for York Centre and I made a proposal and it was partially accepted and partially not accepted. His part was accepted.

An hon. member: His part was accepted and the member's wasn't?

Mr. W. Hodgson: No, in all fairness to the member for York Centre, we proposed that the boundaries should stay as they are in the region of York at the present time. It would have made a lot of sense because the region of York has a population at the present time of 186,000, which would make three complete ridings. It is proposed that the population by the year 1981 will be 310,000, and, there would be three complete ridings within the region of York. We suggested it should stay as it is at the present time. Next time around it should be divided into three complete ridings. The people of the region of York want to stay in the region of York for the government representation.

I say the part that we did miss out on is community interests. I like the people in Vaughan. I know a lot of people in Vaughan, and I can work with the people in Vaughan. In fact, I have been working with a lot of people in Vaughan over the last three or four years. The people in East Gwillimbury township, which is within a mile of the regional administration offices, really want to stay in the riding of York North for purposes of community interests. Their interests all go toward the town of Markham. They have no interests at all with Port Perry or Uxbridge and places such as that.

The part that I really want to get to is the part that is suggested by the member for York South (Mr. MacDonald), that there should be more public input before any redistribution is done.

For instance, the regional council of York wrote a letter asking that the boundaries remain as they are at the present time. Twelve of the 14 members of council wrote and asked that the boundaries should be left as they are. In addition, there were several letters from constituents and all the local media supported leaving the boundaries the way they are now. They all got a nice letter back saying, "Thank you very much for writing and we will consider it."

I think those people who wrote letters deserve more than just a letter back saying: "We will consider it." They don't know whether it was considered or whether it wasn't considered. There should be public meetings where they can have their input and the commission at that time can tell them the reason why they are doing it. Maybe then they will accept why it is being done this way. But at the very least we should give the people of Ontario enough time to make their views known verbally to the commission.

Mr. Cassidy: Where was the member when the terms of reference were drawn?

Mr. Speaker: Order, please. The hon. member for York North has the floor.

Mr. W. Hodgson: As far as I am concerned, Mr. Speaker, revising electoral boundaries only happens once in every seven or more years and it is something that should receive a lot of consideration and should involve a lot of public input. I don't think we should do it hastily.

If the large urban centres must have more representation at this particular time, I think we could deal with that particular phase in time for the next election. But in order to

have public input across the province, it would be impossible to do it before another election. I say we should do the urban centres and leave rural Ontario the way it is and we can get along. That is my suggestion to the electoral boundaries commission and to the members of this House.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you very much, Mr. Speaker. I appreciate the comments that have been made by the member for York North, and I know that we all have a certain sense of wishing that we had come out more forcefully at the time of the terms of reference for the commission were drawn. If you look back to that debate about a year ago, Mr. Speaker, you will find that some caution was expressed by members from this side of the House, but that we went along in voting for the resolution setting up the terms of reference. What a sorry mistake that was.

I find it ironic now, however, that so many of the Conservative backbenchers are suddenly saying: "Yes, there should have been public hearings" and "Yes, there should be public input," because if they felt that at the time a year ago they could have said that and they could have influenced the government to ensure that a process of public hearings was undertaken by the commission, and they did not do so at the time.

It seems to me that the reason they didn't was because it's not the Tory way. After all, if they put a judge, the Clerk of this Legislature and somebody else on the commission, there is a presumption that it's going to be safe, it's going to protect rural Ontario, it's going to protect the Tory heartland and therefore all will stay right in Bill Davis's blue sky. Well, of course, that hasn't happened and the second drafting of the electoral boundaries has offended a lot of the Conservative backbenchers, and now they are discovering the need for public hearings and for some different kinds of guidelines, although they may not necessarily agree with us about what those guidelines ought to be.

I want to make a few comments about this, Mr. Speaker. I regret not being here last night when the debate was opened by the member for Kitchener and the member for York South. As it happened, I was meeting with people from an area of my new proposed riding, the Carleton Heights-Lexington Park area, to discuss this very subject of redistribution.

I am sorry that the new boundaries will continue to over-represent rural Ontario at the expense of city dwellers and that they will do so to such a ludicrous extent. I think that the government was wrong to propose such terms of reference for the electoral boundaries commission and in giving it such latitude to proceed as it did. Now I realize that we were wrong in not opposing it, and certainly the House as a whole was wrong in endorsing the terms of reference that were given to that commission. But I think that the commission was also wrong in using its freedom to create such wide and unnecessary disparities in population between ridings.

With the exception of northern Ontario, which all the parties agreed should not have its number of seats reduced, the commission should have stuck as closely as humanly possible to the principle of one man or woman to one vote. Because the commission failed to stick to the principle of representation by population, Mr. Speaker, and because it did not follow any other discernible set of principles in coming forward with its proposals for redistribution, in that sense it was politically biased. And I would say that for the record.

I've made some other comments about gerrymandering and so on. I have a feeling now that I look at it and now that I've had the time over Christmas to reflect on it, that quite possibly the commission acted more out of ignorance, or even stupidity, than out of deliberate political bias, in the particular boundaries that it may put on to particular ridings. Certainly in the case of the hon. member for Ottawa East (Mr. Roy) and myself, where we were lumped together, we felt there was political direction in putting the two opposition members from eastern Ontario into the same riding.

We got from the commission an unequivocal statement that they didn't realize that a lot of people in the Ottawa area actually spoke French, and that most of them lived in the present riding of Ottawa East, and that the riding could easily be accommodated or enlarged in order to accommodate the other ones.

But the political bias of the commission shows through, Mr. Speaker, in the perverse way that it has over-represented rural Ontario and under-represented urban Ontario.

The hon. member for York South was chided gently by one or two people in this House after he spoke last night because he said that the federal electoral boundaries commission had managed to observe a 15 per cent rule quite successfully, and that

since there was one member of the federal boundaries commission who sat on this provincial commission, then surely the talent to do the same kind of thing existed here in this exercise that we're debating today. As it happens, the federal guidelines that were laid down did permit a tolerance of up to 25 per cent greater or less than the average population per riding across the province, not 15 per cent as the hon. member said.

However, it was my recollection that the federal commission had in fact ensured that most of the ridings in the province held to a very narrow range, around the average quotient per riding, and my recollection was that it was 15 per cent. We've checked through the facts and that is accurate. The ridings that depart more than 15 per cent from the average are basically northern ridings, and in one or two other cases ridings where there were special circumstances.

I want to read those figures into the record, partly for the guidance of this commission which will possibly reconsider its proposals yet again, and certainly for the guidance of the next electoral boundaries commission. It seems clear to me that the terms of reference that are laid down next time must ensure that no riding will vary by more than a defined percentage from the average population per riding. That was the federal practice that should have been our practice.

It seems to me that we should also determine next time that no riding will vary more than a small amount from the average population per riding unless there are compelling reasons, and not the kind of quixotic reasons that were adopted by the commission in the present case.

Mr. Speaker, the federal redistribution proposals of 1970 provided for 91 ridings across the Province of Ontario. Of those 91 ridings, no riding would have had an average population of more than 25 per cent above the provincial quotient or average. Five ridings would have had an average population that was more than 15 per cent above the provincial average, and of those five ridings, as I recall, three were urban southern Ontario ridings. Five ridings would have had more than 15 per cent above the provincial quotient; 45 ridings would have been in the range between the quotient and 15 per cent above. Those would basically have been urban ridings with one or two exceptions.

Thirty ridings would have had a population that lay between the provincial quotient and a figure that was 15 per cent less than the provincial quotient. Then there were 11 ridings that would have had a population that was more than 15 per cent below the provincial quotient. These were the federal redistribution proposals. There was not a single riding across the province where the federal commission saw it necessary to recommend a population that was more than 25 per cent below the provincial quotient. Of those 11 ridings that lay more than 15 per cent below their quotient, seven were in the north where there are obvious geographical reasons why one can't have as large a population as in a riding like St. George or Ottawa Centre or York South.

To recapitulate, Mr. Speaker, 75 of the 91 federal ridings that were proposed lay within a 15 per cent range above or below the average for the province. More than 80 per cent of the ridings would have been around the middle and you would have had what the statisticians call a normal curve, with a small number of ridings which deviate a long way from the provincial average and most of the ridings lying in a narrow range near the provincial average. That was done by a commission whose membership included the Clerk of the House, who was also a member of the provincial boundaries commission.

Let's look at the provincial proposals as we have them before us now—that is, the second run that was released to us late last fall. One riding, Sault Ste. Marie, would have had a population more than 25 per cent above the provincial average for no discernible reason whatsoever. It is a compact urban riding in the north however, and the north we were told was to have more seats than it might have justified in population. Thirty ridings would have had a population between 15 per cent above the provincial average and 25 per cent above, and those 30 ridings were almost all urban Ontario ridings in the larger cities of the province. Then 36 ridings would have lain in the range between the provincial quotient and 15 per cent above, and 28 ridings in the region between the provincial quotient and 15 per cent below.

Then we come again to the aberrations. Thirty ridings, of which 22 were in southern Ontario, would have had a population that was more than 15 per cent below the provincial quotient and, of that number of 30, there were 13 ridings that would have had a population more than 25 per cent below the provincial quotient. In the case of the federal redistribution, Mr. Speaker, the maximum population of a riding was all of 17 per cent above the provincial average. In the case of the proposals at the provincial level that are made and are being debated now, the maxi-

mum population in Sault Ste. Marie was 29.5 per cent above the provincial average.

At the other end of the scale in southern Ontario, the riding with the lowest population, which was Elgin, had a population proposed at the federal level of 21 per cent below the provincial quotient, and the northern ridings had a maximum aberration or difference of 24 per cent below the provincial average. That compares with Muskoka which is about 48 per cent below the quotient for the province in the provincial redistribution, and the Algoma riding which is about 51 per cent below, a level of difference which is completely unnecessary and unacceptable.

Whereas there was a normal curve in the federal redistribution, Mr. Speaker, with a few ridings more than 15 per cent either above or below, and most of them bunched within, in the case of the provincial redistribution only half of the ridings lay in that range in the middle of 15 per cent below to 15 per cent above. The remaining 61 ridings were the exceptions and were out there as being above the 15 per cent level or below the 15 per cent below level.

Mr. Speaker, in other words, the normal kind of distribution of riding populations that might have been expected from a commission that was doing a scientific job and was seeking to observe the rule of representation by population is simply not evident in the proposals that the commission put forward. Had the commission followed this basic rule, the average population of urban ridings would have been about 9,000 or 10,000 less than what is presently proposed. Had that been the case, Mr. Speaker, then the kind of complaints that people like me made about urban under-representation would not have been necessary and the kind of difficulties we have had in drafting urban ridings would not have been felt.

The member for St. George wouldn't have had the problem because it would have been perfectly easy to redistribute the Toronto ridings and provide for block ridings to give due weight to the working-class voters who live south of Bloor St. in central Toronto. I wouldn't have been put into a position of having to accept and deal with a rather sharp difference between one new area of my riding and the remainder of the proposed riding. The Ottawa area would have had the eight ridings that it should have had in this redistribution, rather than being cheated out of fair representation along with the other major cities of the province, and having to be content with only six.

The people in West Carleton township, which has been joined with Renfrew South; the people in Osgoode township and in Rideau township, which has been joined with Grenville-Carleton; and the people in Cumberland township, which has been joined with Prescott-Russell, would have been part of Ottawa ridings because they are part of the regional municipality of Ottawa-Carleton. Instead of that, the rule about municipal boundaries which was meant to guide the commission was violated in those three cases, and those constituent parts of the regional municipality of Ottawa-Carleton were put into rural ridings which stretch as far as Algonquin Park in one case, the St. Lawrence River in another case, and the land boundary between Quebec and Ontario in the third case.

I'm concerned, in particular, about the way that the boundaries commission has ignored community of interest in making its proposals. Evidement la division des secteurs francais d'Ottawa en trois ou en quatre dans la première carte electorale proposé par la commission, ignorait la communaité d'interet. Maintenant que la correction a été faite. J'accepte les propositions de la commission pour le nouveau comté d'Ottawa Est.

It is a happy fact that the commission was able to recognize the mistake it made in the case of Ottawa East. But the strip ridings in Toronto which muzzle the voice of working-class voters below Bloor St. by including them in ridings dominated by middle-class voters from north of Bloor have been perpetuated. An area of about 5,000 voters from the southern suburbs of Ottawa, the Carleton Heights-Lexington Park area, has been included in Ottawa Centre, which up until now has been an older and core area riding.

I want to describe that because I'm going to suggest to the commission—I'm putting my remarks on the record—that looking at the alternatives and given the bias of the commission against a proper representation by population for urban areas, that I accept the proposals that have been made for Ottawa Centre. In fact the alternatives that could be made for the Ottawa ridings would create more havoc and cause more problems than they would cure. I have been talking with people in the suburban area and finding out areas of common interest which didn't spring to mind at first blush, when we first saw the proposals of the commission.

I want to say though, Mr. Speaker, that the Carleton Heights-Lexington Park area is separated from the rest of Ottawa Centre, as proposed, by the Ottawa Experimental Farm, which, when you measure it on the map is all

of a mile and one-half in distance—as the member for Carleton (Mr. Handleman) knows; he probably drives across it quite regularly. It's not very far, in the physical sense, in this vast province of ours. But in a psychological sense, an undeveloped area, filled with experimental farms and marijuana patches and that kind of thing, is a very large psychological barrier. It means that there is very little common mingling of the people who live south of the experimental farm with the people who live in the rest of the proposed riding of Ottawa Centre.

The area of Carleton Heights and Lexington Park once formed a portion of Nepean township. Because of transportation routes and other things, it happens that the people in the area go into Nepean township for their shopping, for the library services and for services that happen to be more convenient to them there than within the city of Ottawa.

Hon. Mr. Handleman: They are great people and I will take them any time.

Mr. Cassidy: They're good people. I have met a number of them and, as I say, we're happy to have them and we're beginning to come to terms.

We had a meeting last night, Mr. Speaker, and they were very welcome because I can say that they feel like forgotten people. They're part of John Turner's riding at the federal level, for God's sake, and John Turner's riding includes Rockcliffe Park.

Hon. Mr. Handleman: Why doesn't the member propose developing the experimental farm?

Mr. Cassidy: We'll come to that some other day. They are part of John Turner's riding, which is away over in the east end of Ottawa, Mr. Speaker, at the federal level. They belong to Elmdale-Victoria ward at the municipal level, but are separated from the rest of that ward by this same experimental farm. They are the only portion, at present, of the Ottawa South riding which lies to the west of the Rideau River. There may be reasons in their member why they feel alienated from the Hon. Claude Bennett; but they certainly have not had much contact with him and they don't feel any community of interest with the rest of the area that he represents.

What came through loud and clear to me was that they don't like to be forgotten. And any member who is willing to speak up for them, as I am, and to work with them, as I am, would be welcome by people down there. That's much more important to them than whether or not their homes were built at the same time as the homes of the rest of the riding.

But that kind of marriage needn't have been created if there hadn't been the over-representation of rural areas at the expense of the urban areas. I did look at the possibility of a minor piece of surgery in the Ottawa area, Mr. Speaker, which would have involved a trade of a part of Ottawa Rideau riding.

Interjection by an hon. member.

Mr. Cassidy: What was that?

Mr. Ferrier: Ask the member for Sarnia.

Mr. Speaker: Will the hon. member for Ottawa Centre continue, please.

Mr. Cassidy: Thank you, I did look at the possibility of a minor transfer of boundaries, some minor surgery, Mr. Speaker, which would have brought part of the Glebe into Ottawa Centre. But it became very clear that the Glebe, which is directly to the south of Ottawa Centre and is an area similar in history and age and so on and has perhaps a closer community of interest, wants very much to stay as a whole. It is an integrated, united community, and they did not like any proposal that would split their community between two ridings. And neither did I. That is why I say to the boundaries commission here in the record that it is better to stick with the present proposals for the new Ottawa Centre riding than it is to split an established community in the Glebe. So I would suggest that the Glebe be left with the new riding of Ottawa Rideau.

I am content with the other proposals for Ottawa Centre which basically extend the riding to the west, and that, in my opinion—about whether the riding should go to the west or direct to he south—was legitimately a matter for the boundaries commission. If that's their decision, as an independent commission, then I am prepared to accept that particular point.

If I can recapitulate though, Mr. Speaker, the urban ridings are too big. The commission should have acted on that. If it's prepared to make any concession to this particular House, I urge it to look at that particular problem. I suspect that the comments that we are going to hear from the Conservative backbenchers will be self-serving — crying over spilt milk because they supported the government and didn't insist on public hearings, or all that nonsense as they would have seen it a year ago—until they found out the

results as they are right now. If the commission is willing to do anything with rural ridings then, for God's sake, let's see more urban ridings in the province. And let's see that the rural ridings are brought up to a more acceptable kind of population for the elections that will be held over the next ten years.

I believe that in the Toronto area in particular, the principle of community of interest should be respected with the redrafting of the urban ridings in midtown Toronto—in other words, the block ridings that should have been created and in fact exist in the draft before the commission.

Mr. Speaker: The hon. member for Carleton East.

Mr. P. Taylor (Carleton East): Mr. Speaker, I don't plan to take very long. The commissioners' treatment of Carleton East is at this point, as far as I'm concerned, without criticism. I just want to address myself to a couple of points of a general nature with respect to their work.

But before I do that I can't allow the remarks of my friend from Ottawa Centre to go without some reference from me. It's obvious that in the month to six weeks he's had to consider the changes in his riding, he's changed his attitude a great deal and that's—

Mr. Cassidy: I am a very mellow fellow, as a matter of fact.

Mr. P. Taylor: Yes, he obviously has grown in the job. I just give my friend from Ottawa Centre one piece of advice: If he really works at it maybe some of those four-footed things on the national experimental farm will turn up some votes for him, but I leave that to him.

An hon. member: Is that in Toronto?

Mr. P. Taylor: No, that's in Ottawa.

Mr. Cassidy: We beat him in Osgoode township and that was the people who were voting. I don't know if the member got the cows' vote or not.

Mr. P. Taylor: Well, my friend made a speech and I didn't interrupt him so I hope he won't interrupt me.

I rise at this time, Mr. Speaker, essentially to add my voice to those decrying the lack of public hearings in the exercise of changing the political boundaries. I think that the clearest example in eastern Ontario of the need for public hearings was the trap that the commissioners fell into with respect to Ottawa East.

I find it interesting that the commissioners were appointed by the cabinet, which is the very group in this province which has clearly demonstrated that it does not understand eastern Ontario and does not understand the aspirations of the francophones or the Franco-Ontarians. I think that had there been public hearings they certainly would never have fallen into that very embarrassing and very indicative situation.

The only other point I wish to make with respect to the changes as they affect eastern Ontario and Carleton East is that the commissioners in their wisdom have seen fit to remove from Carleton East the township of Osgoode and, contrary to the views expressed from his seat by the member for Ottawa Centre, I'm sorry to be losing, in an electoral boundary sense, the people of Osgoode township. I have enjoyed serving them the short time I have and I will continue to serve them to the best of my ability until the new boundaries become law. The people of Osgoode have provided Carleton East with a nice balance between urban and rural population and I have enjoyed the experience of serving them here in the House. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Yorkview.

Mr. Young: Mr. Speaker, in winding up this particular section of the debate for this group I would like to put on the record some figures in respect to what has been happening here. I also want to reiterate to some extent some of the matters we've placed before the commission after the first draft of the map was issued, and after we had had a chance to look at it carefully and see what the situation was.

First of all I would like to say that as far as we are concerned the principle of an independent commission is an extremely good one. I would agree with the leader of the Liberal Party when he said that we have to take for granted that the commission is a workable organization and I think this Legislature has to look at it from the point of view of how it can work more effectively and more efficiently. That's the job that faces us.

The member for York North and others have expressed the opinion that we needed more public input. This I think strikes at the very heart of the matter, because no matter how efficient a commission might be and how knowledgeable its members might be, in order to properly reflect what the people of

a province want, they should at least hold public hearings in typical areas of the province.

That means that the work of a commission must start away ahead of the time schedule in which they worked at this particular time. In other words, the commission must be appointed earlier and it must have time to do an adequate job of public hearings, of assessment of those hearings, assessment of representations that have been made, and assessments of the census tracts and all the other things that must come under their purview.

Their terms of reference, of course, must be more carefully outlined. I think this is the thing that emerges from this debate today; that we were not careful enough in outlining the terms of reference of this commission. That perhaps is understandable, because when a commission of this kind is only appointed once a decade not so many people—except for, of course, the hon. member for Dufferin-Simcoe (Mr. Downer), is it? Except for him—very few of us survive that long that we see very many of these revisions taking place. And so we forget from one redistribution to the next one.

So it is that we have to recognize that perhaps some hard and fast rules—at least more comprehensive rules—must be laid down; and I want to say a word about that later on. But at least we should be thinking in terms of the next redistribution, and that is the matter which the member for York South emphasized from the very outset of this debate.

We did get our first report and there was a great deal of dissatisfaction with it. I will say that the commission deserves a great deal of credit because of the way in which it reacted to the suggestions that were made. It brought in the second report with a great many changes. Now I know that many of those changes came at the sacrifice of some members' seats, the sacrifice of some of the areas which they represent. Perhaps the second report was not much more satisfactory to some members than the first one, and therefore this debate is taking place.

Just to reiterate the kinds of things we have expressed and want to summarize at this point: We were unhappy with the 25 per cent leeway. We agreed to it at first, with reservations, but I don't think any of us in this House at this time, on this side at least, would agree with that 25 per cent in the future.

It was my privilege to look in on the New Zealand situation where redistribution takes place on a very regular basis. They have a five per cent tolerance from the average—that's all, five per cent—and they make it work. I realize it is a small country, but some of those ridings are fairly large and some, of course, in the cities are fairly small. The fact is they do live within the five per cent.

I was able, as an outsider, to go into the room in which the work was being done and examine the whole process. The reasons were given by the technicians who were there working under the commission. The reasons were given why they outlined this particular riding in this way or that particular riding in another way.

This is the thing which is lacking here. We haven't been able to see the working papers of the commission. We haven't seen any justification of the kind of boundaries that have been drawn. I think this is something that we have to look at for the future and perhaps draw up some rules to meet this problem.

And so while it may have been felt that the 25 per cent was fairly reasonable in a far-flung province like this, the fact is that today with communications, with paved highways, with the means we have of contacting people—telephone service and all the rest of it—the need that used to exist for a member to be able to easily reach all parts of his riding within a day, or whatever it might be, no longer exists in the way it did.

The time is here, I think, when we should be thinking in terms of average populations, with a tolerance which is pretty close to zero; even though that may mean some imbalance in territory. Again, at least again for this party, I say that as far as northern Ontario is concerned this kind of rule would not be practical because of vast distances and the isolation of many of the areas in that particular part of Ontario.

But the problem came when the commission began to look at that 25 per cent and chose to ignore it in too many instances. The commission, while cutting down somewhat on the present imbalance, has set average urban ridings at about 12 per cent above the average while setting the rural ones at 14 per cent below it. The result is that 21 urban provincial ridings will be more than 15 per cent above the average, and 30 rural ridings are more than 15 per cent below. This means that well over half of the ridings will be either above or below what seems a reasonable tolerance, at least one which we accepted for the new redistribution; particularly where the ones below the line are slow-growing areas and the ones above them are fast-growing territories.

The average urban riding will have roughly 68,000 to 70,000 people, while the average rural one will have 49,798 to about 50,000. So you have a differential there of something around 18,000 people, Mr. Speaker.

This seems incredible in light of the fact that the average urban riding is growing so much faster than the rural one, and the inbalance can only increase as time goes on. But these figures deal with averages.

Specific instances of sheer imbalance are not difficult to find and we have heard them this afternoon. Sault Ste. Marie is a case in point; it had 80,000 in 1971, while Algoma had 30,000 and Algoma-Manitoulin had 31,500. In other words, the Soo will have over twice the population of the two adjacent rural ridings; and this hardly seems sensible.

Peterborough will have 73,000, while Hastings-Peterborough will have 54,000, Leeds about 50,000, Lanark 42,000 and Muskoka 32,000. Most ridings in Metro Toronto, as well as in Hamilton and Ottawa, will have populations in the 70,000 to 75,000 range; while 36 rural southern ridings average 52,000. Between these is group of 14 rapidly urbanizing ridings with an average of 61,000—I am using round figures here—which is near the southern average of 62,000 people and somewhat above the provincial average of 61,600.

But even among similar ridings, I would like to point out, the difference appears inexcusable when we look at it. Chatham-Kent, with a relatively small growth rate, will have 57,500 people on the basis of 1971 figures; Cornwall, with little growth, will have 53,300; while Peterborough, with a much faster growth rate, will have 73,500 people.

Mr. J. M. Turner (Peterborough): We will catch up.

Mr. Young: Well Ontario now has 117 seats. It will have 125 with the redistribution.

Of the 102 present seats in southern Ontario, 63 could be classified as urban and 39 as rural. A redistribution based on population would seem to indicate that we should have 16 urban seats in addition and should have dropped eight rural seats. That brings us to a total of 110 southern ridings plus the 15 northern ones guaranteed by the Act. As the member for Cochrane South (Mr. Ferrier) pointed out, it well might be that we should think in terms of an extra seat in northern Ontario at this time. I might have a word to say about where we would find that in a few minutes.

The result is a situation in eastern Ontario where 14 rural ridings from Parry Sound to the Quebec border average 47,000 people, as against the southern average of 62,000. If these ridings, and they contain 658,000 people, were redivided and brought up to the southern average, it would result in 10 ridings instead of the 14 present ridings. Not good news for some of the eastern members if it were done, but perhaps it should be done at least in some measure; perhaps that's where one of the extra seats could go for northern Ontario.

Mr. O. F. Villeneuve (Glengarry): The member would have it all in the urban centres.

Mr. D. C. MacDonald (York South): No.

Mr. Young: No, no.

Mr. MacDonald: There would be some relationship to population.

Mr. Young: We get some relationship to population in this area.

Mr. Ferrier: Those fellows from the east don't know about distances compared to us in the north.

Mr. Young: The eastern Ontario ridings are not nearly as large as many of the northern ones.

Now I want to come to another point we would like to emphasize very strongly here. The first election to which this redistribution will apply is 1975, or perhaps 1976, but the census figures for 1971 are being used. These figures are completely out of date right now, in 1975, and they will be far more so by 1979. In 1975 a great many urban and urbanizing ridings have far more people in them than they had at the time of the census. Therefore, the imbalance between urban and rural ridings that I have already spoken about will be greatly accentuated.

It's impossible, of course, to accurately assess exactly what this imbalance will be, but we do know how much each riding grew in voter strength between 1967 and 1971. During that period, the enfranchisement of 18 to 21-year-olds added about 10 per cent to our polling strength. But allowing for this, and projecting the 1967 to 1971 percentage growth in voters to population growth between 1971 and 1975, we get a rough idea of what population might be expected in a given riding in 1975. This presents no great difficulty where the boundaries are the same,

but where boundaries have been changed, the general growth in the area can be applied to the new riding.

Sault Ste. Marie, for example, one we've talked about a great deal, had 80,000 people in 1971. But projecting the growth rate between 1967 and 1971, about 10 per cent, to the period from 1971 to 1975, we get a population of about 88,000 in Sault Ste. Marie right now. When you realize that the two adjacent ridings have populations of 30,000 to 36,000, this becomes ludicrous.

The present Yorkview riding, which I represent, grew about 20 per cent over the four years 1967 to 1971. The area comprising the new Yorkview is growing faster than the rest of the riding and is infilling with major apartment developments. The redistribution set the new riding population at 73,000. With a 20 per cent growth over the 1971 to 1975 period the population of Yorkview will be nearer 88,000 by the time of the next election.

In York Mills, with a 1971 population of 75,000, the population right now will be much closer to 80,000 and possibly much higher than that.

In Ottawa the same thing is true. We heard about Ottawa this afternoon. The old Carleton grew by 24 per cent between 1967 and 1971. If that same growth continues, then the new Carleton, by 1975, right now, instead of a population of 70,000 will be around 87,000 this year.

Similarly, the Carleton East area, growing at the rate of 25 per cent, will have 78,000 by 1975, instead of the 63,000 stated by the commission.

In contrast with this kind of growth, most rural ridings will change very little. Parry Sound, with its 40,000 people in 1971, will likely have about 42,000 this year, if the trend of the Sixties continues. Lanark, with 42,000 in 1971, will have about 45,000 this year. Stormont-Dundas-Glengarry, with 47,000 in 1971, will see about 49,000, perhaps a few more, this year. Prince Edward-Lennox, with 42,000, may reach 45,000 by 1975. And Muskoka, with 32,000, may well grow to 37,000 by the time the election is called in 1975 or 1976.

In other words, by the first time this redistribution is used, Mr. Speaker, we may well see southern ridings vary from 37,000 to 90,000 and over, and northern ridings from 30,000 to 87,000.

Mr. J. F. Foulds (Port Arthur): Absurd.

Mr. Young: Certainly the difference between the average urban and rural ridings will be much greater than the figures shown in this redistribution; and many rural votes will be worth two to three times the vote in most urban areas. Well perhaps some of the rural representatives will say that a rural vote is worth two or three times the urban one. Let's here them say so and put themselves on record to that effect. I don't believe it, and I think in any democracy we can't afford that kind of an imbalance.

Because of this trend since 1971, because the census figures of that year are used, logic would dictate that many of the urban and urbanizing ridings should have 1971 populations set actually below the rural ones in the province, instead of 30 per cent higher. This would still see the urban averages above the rural ones by 1975; and by 1979, of course, the difference would be very marked.

Well we've heard a great deal this afternoon about the redistribution in Toronto. I don't want to reiterate what has been said, but I do want to put on record this afternoon part of the OMB decision of July 3, 1969. It applies equally to the provincial redistribution as it did to the municipal one, and I quote:

> It is significant that all of the opinions, and evidence presented by persons well qualified in the field of political science, were in favour, without exception, of the block plan approach for the reasons summarized above. No person trained in political science and the other social sciences appeared to espouse a strip plan or cross-section approach.
>
> It is also not without significance that a great many ratepayers organizations as well as two political parties intending to take part in the forthcoming municipal elections all favour the block plan. Indeed, the only support for the city's plan came from three aldermen who appeared to argue in support of the proposals which they had made.
>
> In the respectful view of the board, a block plan is preferable for the reasons given above and the city will be divided into wards based on the block plan as fixed by exhibit 11. If a council desires to have a letter as well as a number applied to each ward, the board should be advised prior to issue of the formal order.

Mr. Speaker, this was the opinion of the Ontario Municipal Board after thorough-going discussion and after lengthy hearings. So it would seem that if we are going to see carried out the instructions of this Legislature

to the commission, that commission should not violate in such a blatant fashion the ward boundaries of the city of Toronto.

As we look at this map in Toronto and the map around the province, we are driven to the conclusion that a much better job could have been done by the commission. It seems to me they should go back now and take a further look at what they they have done. I know the time is short and I know that perhaps a thorough redrawing of the whole electoral map may be out of the question at this point, but let's look at a few things that can be done, Mr. Speaker.

First of all, the areas that can easily be changed among those that have been mentioned here in this House last night and today, should be changed.

Sault Ste. Marie, for example; there is no reason in the world why that imbalance—maybe 8,000 population versus the two, Algoma-Manitoulin—should not be shifted. There is no reason why at that point the city of Sault Ste. Marie might not be cut in two and given two seats, or some other area equally deserving in the north might have that extra seat added. To hold that imbalance is not only very bad policy on the part of the commission, but rather an insult to the members who are given only that small responsibility in comparison with the Minister of Transportation and Communications (Mr. Rhodes) who is, I would think, overworked with this kind of population.

Again, when we come to Toronto, let me say this to you, Mr. Speaker, the work is already done. I have in my possession a letter which states that fact, that the staff of the commission had drawn up the block plan for the city of Toronto. It is there. All they have to do is pull it into the files and put it into effect. There is no extra work involved here by the commission. It is a matter of looking at it quickly. It is there, it is done; it can be put into effect and it will harmonize more with the ward system in the city of Toronto.

In eastern Ontario, one or two at least, if not three or four ridings, could be pulled out of that area where we have over-representation on the part of the members concerned, and where some of those seats could be used in some of the urban areas—the city of Toronto or Hamilton or Ottawa—with a very simple redrawing of boundaries. That extra seat could be given there so that we don't get this very great imbalance such as in my own riding and others where we will have close to 90,000 people when the election is actually called this year.

Mr. Speaker, just in closing, again I want to say that we support the idea of the independent commission, but I think that right now is the time when we should be looking at this, not waiting for another 10 years. In view of our experience at this time and in view of the debate that has taken place, this House should spend some time on this in the next session, if not in the first session following the election.

It is important to look at what we have found out and set guidelines for the future; guidelines in respect to the commission's terms of reference; guidelines in respect to the variances, the tolerance that might be allowed; guidelines in respect to the kind of things which we have talked about here and preached here. We might very well forget these things before the next commission is appointed in the years ahead.

So I urge, Mr. Speaker, upon this House, that we not simply drop this debate when we have finished here today, or tomorrow or whenever the time might be, but that we ask this Legislature, or the next one, in the light of this experience, to introduce legislation which will guide the same kind of activities in the days ahead.

Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I wanted to make a few comments on the report of the electoral boundaries commission.

Mr. Speaker, when the original report had been submitted by the commission to the members of the Legislature fairly early last year, I thought that was the right approach. We appointed a commission and they went into what they thought was a fair method of resolving the new boundaries and they submitted their report.

Where the commission, I think, fell down —or maybe I shouldn't blame the commission; I should blame ourselves for not setting the terms of reference so there would have been public input, so that after their original submission they should have travelled about the province and heard submissions from the various groups and organizations that would have been interested in making submissions to them.

Mr. Speaker, when the first report was sent down I had noticed—and naturally each of

us are particularly interested in the area that we represent — I had noticed that the riding of Windsor-Walkerville had jagged lines on both sides of its bounds. There was no definite, straight-line boundary definition between the Windsor-Sandwich riding and the Windsor West riding.

Mr. Speaker, I wasn't interested and wasn't concerned as to where they were going to locate me. My sole concern was that it would be that much easier for the constituent to know that if he lived on one side of a street that he would be in one riding and that if he lived on the other side of the street he would be in one of the other ridings.

Now in the city of Windsor there are natural boundary lines. On the natural line between Windsor-Sandwich and Windsor-Walkerville there happened to be a railroad track. The original submission of the commission did not follow the railroad track. I had the opportunity to make a representation to the commission, which I did by dropping into their offices—I think it is McCaul St. isn't it?

An hon. member: Lombard St.

Mr. B. Newman: Lombard St. I met with Mr. McCool and one of the other staff members and I pointed out to them how simple it was to follow a railroad track. In that way, those living on one side of the track would know that they were in the Windsor-Walkerville riding and those living on the other side of the track would be in the—

Mr. F. A. Burr (Sandwich-Riverside): Riverside riding.

Mr. B. Newman: —Riverside riding.

Now the other side of the boundary, and that is the boundary separating Windsor West and Windsor-Walkerville, happened te be exactly the same format as was used in the 1964 redistribution on which we fought the 1967 election. That was a real jagged line.

If one were to look at that one wouldn't be able to reason why the redistribution commission used that approach when there was a simple solution to the problem. When I met with the commission I presented what I thought was a simpler answer—and that was the following of Dougall Ave. right from the river front to the city limits, they saw the logic of the move and when they submitted their second report I thought they had actually done a little better than I had suggested to them. They realized that if they followed Dougall Ave. throughout it may have made the riding of Windsor-Walkerville have several thousand fewer population than either of the two ridings. As a result, the redistribution commission came along and followed another natural dividing line. That happened to be Cabana Rd. up to the western extremity of the city of Windsor.

So now Windsor-Walkerville has the Detroit River at the north end, Dougall Ave. at the west end, the Pere Marquette and Chesapeake and Ohio railways on the eastern boundary, and the city limits at the south boundary. It is a good redistribution. Politically it may not be as good as one would like it, but that is really beside the point, Mr. Speaker. In dividing the boundaries we should always be concerned with the voter and the citizen rather than our own personal futures.

In setting up the new boundaries too, Mr. Speaker, I think that the commission should have taken into consideration population projections. Windsor prior to redistribution had 2½ members; now they have three full members. All three members—Windsor-Riverside, Windsor West, and Windsor-Walkerville—are all city members and solely city members. Prior to redistribution, if I'm not mistaken, I was the only member whose riding was completely within the bounds of the city. I think both Windsor West and Sandwich-Riverside as it was called then—was the member's in then?

Mr. Bounsall: Yes.

Mr. B. Newman: All right. There were two ridings then. The Windsor West riding and the Windsor-Walkerville riding were both within the city and the Sandwich-Riverside riding was a horseshoe-shaped riding that went around the city. Now there are three members representing the city of Windsor. With population projections, Mr. Speaker, and with the provincial average being some 58,000 and looking at the population statistics for the three ridings I find the redistribution commission, rather than giving three seats to the city, should have increased it to 3½ seats. Windsor-Walkerville now represents a population of 68,010, Windsor-Riverside, 67,505, and Windsor West 67,385.

Mr. Burr: That's 1971, not now.

Mr. B. Newman: Those are 1971 statistics, yes. Since then, there has been a tremendous growth in all three ridings in the city. I think, Mr. Speaker, it would have been better had the commission considered the growth and considered these statistics were

some four years out of date, and had set up another half riding within the bounds of the city of Windsor, another half member, so that member would represent part of the city and part of the county.

I likewise think that they have to take into consideration the tremendous redevelopment that is taking place, especially in the core city. My own riding now has, if I am not mistaken, either six or eight highrise developments under way. They would represent a population of some 1,500 to 2,000. They now have 68,000 people, according to the 1971 statistics, and actually by the time the next election were called there would be probably 75,000 people in the area—not that I'm complaining about representing 75,000 people, but I think if you are going to use provincial averages you should attempt to redistribute, following a provincial average area of provincial average figures where possible, Mr. Speaker.

Now that the boundaries have been set up —and I think all three Windsor members would have liked some other changes but we are content to accept what the redistribution commission has done—I would think maybe the city fathers might look at the provincial redistribution and maybe readjust their own ward system in the city so that we would have approximately three wards from each of the provincial ridings.

I don't think the boundaries should have followed the old ward system because I think the old ward system outdates itself very quickly as development accelerates in given areas. For example, the riding of Windsor-Riverside has a tremendous amount of development going on. The principal development in the community, I think, is going on in the Windsor-Riverside riding; and it's going to mean that that riding before another two elections will really be lopsided as far as population representation is concerned.

Had the commission, after the submission of the first report, followed the recommendation of the Ontario Secondary School Teachers' Federation, I think they would have done themselves and the community a real service. I think they could have received input from the community by going to the community, and not having submissions presented to the commission. I happened to go down to the commission and discussed Windsor-Walkerville because I was familiar with it. But I think it would have been better had that commission gone to the public instead.

I think the suggestion made by the member for Windsor West concerning the name change is a good one. Had he not made it, I was going to make that suggestion, which is to call all three ridings in the community by some given name; that is, one being Windsor-Sandwich, the central riding being Windsor-Walkerville and the easterly riding being Windsor-Riverside. In that way we would be maintaining the names of all three larger communities within the bounds of greater Windsor—the original town of Sandwich, Windsor and the growing area of Riverside.

Mr. Speaker, I hope the redistribution commission take to heart the comments I have made; and if and when they are going to make any changes concerning any of the ridings, that they look into population projections as well as input from the public. Thank you.

Mr. Speaker: The member for Stormont.

Mr. G. R. Samis (Stormont): Mr. Speaker, I would like to state the position for the people of Stormont very briefly. First of all, I would like to preface my remarks by saying that I wholeheartedly support my colleagues when they complain about the inequities in northern representation under the proposals. I think it is extremely unfair to the north to expect them to have less representation in a new House. I also think there are obvious inequities in Toronto; however, I am no expert on Toronto and I don't intend to speak on Toronto. I intend to speak about eastern Ontario and in particular my own riding of Stormont.

Under the proposals, Stormont would no longer exist as an entity unto itself. I would become the member for Cornwall, and I would like to go on record as wholeheartedly supporting the proposal for the new riding of Cornwall. The proposal recommended was the same that we recommended as a riding association to the electoral boundaries commission in Ottawa. We feel that the city of Cornwall is now a city that is on the move. We feel that the rural needs of eastern Ontario still need to be represented and recognized.

Coming from Cornwall, I would be the first one to admit that there is possibly overrepresentation in some ridings. There is definitely a need for amalgamation of some of our rural ridings in eastern Ontario. But Cornwall, with a population of 52,300, does make sense as an independent riding.

Look at the growth potential of the City of Cornwall: Combustion Engineering is coming in and, within five years, projects employ-

ment of 1,000 people. There has been the announcement of a $24.5-million transport school which will employ 200 people and have 600 students in Cornwall. There will be an expansion of our industrial park as well as the creation of our new civic complex by 1976. And, if this new Tory boondoggle in Edwardsburgh township ever gets off the ground, it's obvious that Cornwall, unlike the previous 10 years, will not stagnate. Cornwall will grow. Therefore I feel that the designation of Cornwall as a separate riding makes good sense, and I would like to commend the electoral boundaries commission for their recommendation and go on record as supporting that recommendation. Thank you, Mr. Speaker.

Mr. Speaker: Do any other hon. members wish to speak on this resolution?

Mr. Breithaupt: Mr. Speaker, I think that completes the list of those members who, so far as I am aware, were intending to speak on this resolution. If it is your wish now to place the other resolution, I believe there may be certain other members from this side of the House who may wish to join in on that debate.

Mr. Speaker: We'll call the order then.

NOTICE OF MOTION No. 2

Clerk of the House: Notice of motion as provided by the terms of reference of the electoral boundaries commission dated Dec. 5, 1973, standing in the name of Mr. Eaton and others.

Mr. Speaker: It is indicated the member for Middlesex South—oh, who is going to speak first?

Mr. R. Eaton (Middlesex South): Let him go first.

Mr. Speaker. The member for Renfrew South.

Mr. P. J. Yakabuski (Renfrew South): Mr. Speaker, I wanted to rise and participate in this discussion with regard to the report as tabled by the electoral boundaries commission.

I have listened to a lot of the debate that has taken place so far, especially that which has come from the New Democratic Party benches, and I am inclined to disagree with them very substantially. I think most of them have, more or less, suggested that a number of rural ridings in this province, especially in eastern Ontario, should be eliminated and that the whole thrust be in creating a great number, or quite a number, of additional urban ridings. And, of course, if I were sitting where they are sitting perhaps I would use the same kind of argument.

Mr. MacDonald: How about rep by pop?

Hon. Mr. Handleman: Don't worship it.

Mr. MacDonald: I am not worshipping it.

Mr. Yakabuski: That's something I want to say a few words about. But, you know, Mr. Speaker, I think it proves again that that party across the floor know very little—

Mr. Breithaupt: Which one?

Mr. Bounsall: The one that counts—ours!

Mr. Yakabuski: That party in the centre mostly.

An hon. member: There are three parties over here.

Interjections by hon. members.

Mr. Yakabuski: They are never in the centre of the road, but they happen to sit in the centre. They know very little about the real needs of rural Ontario—as a matter of fact, of rural Canada, for that matter.

Mr. MacDonald: Tut; in fact, tut tut.

Interjections by hon. members.

Mr. Yakabuski: I think the whole principle in a country such as ours, in a province such as ours, the whole principle of representation by population is wrong.

Interjections by hon. members.

Mr. MacDonald: Is that right? Must get this on the record.

Mr. Bounsall: Bring back the rotten boroughs.

Mr. Yakabuski: It can't work and it won't work.

Mr. Young: We should have that on the record from the Tory member.

Mr. Yakabuski: If we are to look at the average riding, then somebody is going to suffer.

Interjections by hon. members.

Mr. Yakabuski: And in the case of representation by population, the people who do suffer are these people who happen to live in the rural ridings or in the sparsely settled ridings across this province.

Mr. MacDonald: What does he mean "who do suffer"? Are they the only people who do?

An hon. member: Oh be quiet and listen, he didn't interrupt the member.

Mr. G. Nixon (Dovercourt): If he keeps quiet he will learn something.

Mr. MacDonald: I am trying to.

Mr. Yakabuski: But anyway, I want to give some of the reasons for this. I want to say, perhaps before I get into that, that the second report as presented by the electoral boundaries commission is quite satisfactory to me as it affects that part of Ontario. I have to say that the eight new townships that are added to the great riding of Renfrew South are quite welcome as far as I am concerned. I think they are welcome additions because they are—

Mr. A. J. Roy (Ottawa East): They are welcome to the member.

Mr. Yakabuski: —just good and great people, and I would be just so happy to have them. As a matter of fact, I think I would be terribly disappointed—

Mr. MacDonald: He can't afford to say anything else, isn't that right?

Mr. Roy: The problem is that they won't have him.

Mr. Yakabuski: —when the bill comes before the Legislature if any of these great townships were deleted. However—

Mr. Roy: These people won't have the member for Renfrew South.

Mr. Yakabuski: That's what the lower-town bumpkin might think, but that's not the way it is.

Interjections by hon. members.

Mr. Bounsall: Is the member for Renfrew South trying to push the member for Renfrew North (Mr. Hamilton) out now?

Mr. Yakabuski: That's not the way it is.

Interjections by hon. members.

Mr. Roy: I'd like to have the member's comments about—

Mr. Yakabuski: I am not so concerned about the size of some of these rural ridings when it comes to square miles or the area they cover. I am concerned about the kind of representation they might have to suffer if these rural ridings are too large by way of population. I think I have been around this Legislature long enough to know—

Mr. Roy: Too long.

Mr. Yakabuski: Well, maybe the member thinks so, but thank God there are a great many people down in eastern Ontario who don't agree with him.

Mr. Roy: They will have a gift for the member in 1975.

Interjections by hon. members.

Mr. Yakabuski: But one thing I don't think any of us can argue about is that generally the member representing a semi-urban, semi-rural but especially a rural riding has a much, much greater workload than the member who represents a strictly urban riding. There is no question about it, because I can see it in our caucus and I think the same thing can be applied in either of the caucuses across the floor.

Mr. J. E. Bullbrook (Sarnia): Would the member tell us the reason for that?

An hon. member: They don't have any urban members; they don't know.

Mr. Yakabuski: For example, if someone living in Yorkview or York South, for instance, has an OHIP problem, nine times out of 10 he will go to OHIP or call OHIP up in the city of Toronto. That problem will not get to the member. As a matter of fact, a goodly number of the residents or citizens of urban ridings don't even know—

An hon. member: Who their member is.

Mr. Yakabuski: —who he or she may be.

Mr. Ferrier: That's not the case in York South or Yorkview, though.

An hon. member: Some of them don't want to know.

Mr. Yakabuski: Now, that's one example, OHIP. Another example would be when it comes to assistance in various forms, whether it be family benefits, whether it be general welfare or whatever form the assistance may take.

Mr. Bullbrook: I used John Robarts' picture in both my elections.

Mr. Yakabuski: Use it again, it will help. That kind of problem isn't generally brought to the doorstep or the desk of an urban member. That again is taken to the agencies that are provided in the urban centres.

Mr. MacDonald: He doesn't know anything about urban members. He'd better go back to Barry's Bay and mind the store.

Mr. Speaker: Order, please.

Mr. Yakabuski: Throughout the rural parts of Ontario, one can't provide those kinds of services that are provided in the urban areas.

Mr. Bullbrook: They would have a lot of workmen's compensation cases in rural areas, I imagine.

Mr. Yakabuski: For instance, UIC. In the rural areas, whether this be a federal matter or not, I don't know how many UIC problems are not brought to the attention of rural members. Again, in the urban centre they have help at their fingertips—"Let your fingers do the walking," you know—or the transportation system to take them to a facility where they can be provided with that kind of service.

If the city of Toronto has a problem with regard to transportation, or whatever it may be, we find them sitting in the Premier's office some morning at 9 o'clock. If the mayor of a small city in rural Ontario or the members of a municipality in rural Ontario have a problem, they don't get to the Premier's office or the minister's office as readily. They take that problem to their area representative.

Mr. MacDonald: The word I get is that they can't get into the Premier's office any more than the member can. Neither of them can break through.

Mr. Yakabuski: Oh, they can get in, they can get in, but they usually work through their local representative, because there is a great communication goes on between the elected members and the municipal officials, especially in eastern Ontario. I think that was proved quite handily today when we saw in the galleries all these great mayors, reeves and other municipal officials from eastern Ontario.

Mr. Breithaupt: They were in shock.

Mr. R. G. Hodgson (Victoria-Haliburton): Who, by the way, were completely disgusted with the opposition. They sure were disappointed by them.

Mr. Yakabuski: Again, I want to say that I am not quarrelling with the second report as presented here in December. I feel personally, the commission could have much more regard for community interests and the type of problem that I covered in the last few moments. I think back in 1966 or 1967 when the last redistribution was done that the guidelines were much different when it came to rural, semi-rural, semi-urban and urban ridings. I think that in the future, when such guidelines are drawn up, it again should get an awful lot of consideration.

Again, if the commission is going to look at the boundaries as we presently see them, I hope it will have much more regard for community interests and not be too concerned or as concerned as it has been insofar as representation by population is concerned. Because representation by population will not work in the kind of province and in the kind of country we have. I think we see evidence of that every day. A rural member must spend many more hours in his office looking after constituency affairs; whereas we see our urban counterpart able to participate in a very adequate fashion on every committee and in a much fuller way in the affairs of this Legislature on a day-to-day basis.

An hon. member: Does the member really believe that?

Mr. Yakabuski: Mr. Speaker, I'm glad I had the opportunity to speak. I want to thank my colleagues for allowing me to get in on this debate first, because I know many of them have concerns that are much greater than mine; and we'll be pleased to hear from them now.

Mr. Speaker: The hon. member for Middlesex South.

Mr. Eaton: Mr. Speaker, in rising to comment on this resolution, I'd like to refer firstly to the second part of our resolution and express some concerns over the opportunity that people had to make a response to the second proposal brought forth by the electoral boundaries commission.

I may not completely agree with what some of the members have said regarding the need for public hearings. I feel that when the first map was proposed the opportunity was given at that time for people to make submissions—

Mr. R. Haggerty (Welland South): Did the member for Middlesex South?

Mr. Eaton: Submissions were, of course, made by the people who felt they were being affected; who felt that they had changes to make. Naturally, those who were reasonably satisfied with what had been proposed did not make submissions.

In the meantime, some people made submissions which affected those ridings, without the people who were being affected having a chance to make any counter-submission or comment on the proposals that were made. I feel that perhaps this is where the proposals have fallen down; that there were changes made that many people did not have a chance to comment on, and comment on as to how they affected them.

It seems a bit hypocritical when I hear the hon. member for Kitchener standing up and calling for public hearings, when one of the members of his party would make proposals for another area to be included in a different riding without ever consulting with the local councils or the local municipalities in that area affected. Certainly that's not public participation.

Mr. Breithaupt: Where's that? Where's that riding?

Mr. Eaton: And I refer directly to the riding of Huron. The member for Huron (Mr. Riddell) was approaching the commission asking that a portion of Middlesex North be placed in his riding. Certainly there was some reaction by the people in that area after that proposal was carried through. For instance the mayor of Parkhill reacted against the breaking down of the county lines. Reeve Ken Vernon of West Williams said "We belong in Middlesex county." Adelaide township council added their support. Reeve Charlie Nichols said "There is 100 per cent agreement on the brief being sent to Queen's Park by Strathroy."

I will refer to the telegram that was sent by the council of the town of Strathroy. I certainly won't read it all but they reacted in this way:

WHEREAS THE COMMISSION HAS PROPOSED THAT A PORTION OF HURON AND MIDDLESEX COUNTIES BE CONSOLIDATED INTO A NEW HURON-MIDDLESEX RIDING, THE MUNICIPAL COUNCIL OF THE TOWN OF STRATHROY STRONGLY PROTESTS THIS PROPOSED CHANGE.

Then they list the following reasons, which are certainly laid out in the terms of reference, namely the community of interest, the diversity of interest and certainly the lines of communication within that area.

They refer in their telegram to such things as the Lake Erie regional development, which is a four-county region comprising Norfolk, Oxford, Elgin and Middlesex. These people participate together in that programme.

They refer to their local hospital board, which quite often deals with the provincial government through its member. It represents an area of some four townships plus Strathroy, some of which would be in one riding, some of which would be in another, and one riding which, under this proposal, would include Huron county.

They refer to their area planning board, which deals with government matters. In effect, it would cover approximately the same four townships as their hospital board and would have the same effect of splitting the representation in that area.

As far as communications are concerned, the reeve of Adelaide township referred to the fact that in Middlesex county they don't even get the same edition of the London Free Press, that those things are not in common between Huron and Middlesex counties.

Mr. Roy: You probably can't read it anyway.

Mr. Turner: Who said that?

Mr. Eaton: I will certainly pass that on to him because he happens to have been a Liberal supporter at one time. I am sure he isn't any more.

Hon. Mr. Stewart: He'll be glad to hear that the member said that. He is the president of the local Liberal association.

Mr. Roy: What's that?

Hon. Mr. Stewart: He is the president of the local Liberal association.

Mr. Roy: I didn't say he can't read it.

Hon. Mr. Stewart: That's what the member said, that he couldn't read.

Mr. Eaton: Well, we can expect those kinds of comments from the member for Ottawa East, because he is just about that childish.

An hon. member: Right on, right on.

Mr. Roy: The member will hurt my feelings that way.

Mr. Eaton: In that particular area—

Interjections by hon. members.

Mr. Eaton: You know, Mr. Speaker, one wonders about this House. We sat and gave the members opposite the courtesy of listening to what they had to say about their areas. Now they show us the ignorance of continually interrupting. There ought to be some place where they could show some of the same courtesy.

Mr. A. Carruthers (Durham): There ought to be some place for that member.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): In the woodshed.

Mr. R. G. Hodgson: There is a place for him. I can tell him where to go: back home.

Mr. Eaton: Mr. Speaker, to continue, as far as those lines of communication are concerned, even the general pattern of the roads in that area does not run directly in connection with Huron county. In that part of the county the roads run at a different angle to the roads in the Huron county area in which they are proposing to put this part of Middlesex county.

Sometimes we get reactions to various things that governments do. Certainly I have not had as great a reaction from that area to any particular item as I have had to this. Perhaps this is where these people have the opportunity to get their say in and to give their response to what the commission has proposed by sending forth these letters, by sending forth their expression of opinion, and giving us the opportunity here in the House to present it to the commission.

I have had about 200 to 500 letters and clippings from individuals in this area of the riding, saying that they are opposed to the commission's suggestion to place that part of Middlesex county with a portion of Huron county. However, one group didn't stop at that. They felt that if they were going to oppose these things, they should also be constructive; they have made a proposal, and I would like to present some of the various resolutions sent in by the councils of that area, by the county council and by the Federation of Agriculture. Middlesex county council are pleased to advise that the council of the county of Middlesex met on Dec. 30, 1974, and took the following action regarding provincial electoral districts.

They agreed that the present electoral districts are satisfactory and acceptable. I'm sure many people don't like to see the changes that are proposed take place. However, they are also being realistic. They are saying that we are opposed to the recent recommendations of the electoral boundaries commission regarding provincial electoral districts, and they agreed to submit the following proposal to the commission: That there be three provincial electoral districts for the city of London and one provincial electoral district for the county of Middlesex to include the entire county. And they have forwarded this to the electoral boundaries commission, the provincial cabinet and all the local MLAs involved.

The Middlesex Federation of Agriculture point out that the proposed changes destroy completely any continuing identity of the county in a political sense; that they destroy the entire economic, social and political activity within the county, as it is on an east-west basis, never north as projected by the commission.

Finally, there is the obvious need for an authentic rural voice in the Legislature. The past year has illustrated to all the consumers the importance of the producer. But how can farmers present their case in this province if their voice is muted by the urban majority. Surely an industry with a forecast income in 1974 in this province of $2,298,000 deserves more direct representation.

So they have put forth a resolution. They resolve that the Middlesex Federation of Agriculture, being concerned with the electoral boundaries report, suggest that Middlesex county have one representative to the provincial Legislature and that the city of London have the appropriate number to accommodate their population. This would retain the identity of Middlesex county and provide rural representation of agriculture from this county.

Others are very similar, and I will just read into the record the names of the other municipalities:

The council of the village of Lucan is in agreement with the same resolution. The township of west Nissouri is also in agreement.

The township of McGillivray:

> Whereas the township of McGillivray has been in the riding of Middlesex north for many years, and whereas the Middlesex North riding has been considered a rural riding, and whereas any change in the riding boundaries should take into account the area involved and not relate so much to population in the riding; therefore be it resolved that the council of the corporation of the township of McGillivray request that the township of McGillivray be included in a rural Middlesex riding excluding the city of London.

Also, a number of the letters which I received supported the resolution of the Middlesex Federation of Agriculture suggesting that there be one riding for Middlesex county.

Of course when we make a proposal like that it could cause some other problems, certainly in the Huron area. Not being like the member for Huron county — not consulting with the people that would be affected I have consulted with some of the people in Huron county—

Mr. Haggerty: Before or after?

Mr. Eaton: Just recently.

They would quite accept having a riding composed of Huron county. It seems quite logical to the extent that Perth has worked to have theirs this way; Oxford is close to that way; Middlesex would like it that way; Lambton would like it that way. We did have the same possible concept to create a riding for Huron and a riding for Bruce with Owen Sound. There are people in Huron county who certainly support that concept.

Mr. Speaker, I am speaking on behalf of the residents in Middlesex who have approached me on this and some I have talked to in Huron, and I propose that we should create a riding of Middlesex county and allow three ridings to be formed within the boundaries of that area and from the city itself will have some proposals in that regard.

I would propose to the boundaries commission that a riding of Middlesex county be created which would consist of the townships of Adelaide Biddulph, Caradoc, Delaware, Dorchester North, Ekfrid, Lobo, London, McGillivray, Metcalfe, Mosa, Nissouri West, Westminster, Williams East, Williams West and the Indian reserves, the towns of Parkhill and Strathroy and the villages of Ailsa Craig, Glencoe, Lucan, Newberry and Wardsville. I do hope Mr. Speaker that the commission gives this proposal fair consideration.

Mr. Speaker: The hon. member for Huron.

Mr. J. Riddell (Huron): Mr. Speaker I wasn't going to address myself to this particular resolution, but the member who just spoke has provoked me into saying a few words.

First of all, I think he had better get his facts straight Mr. Speaker. When the first proposal came out, they had aligned four townships out of Perth with Huron. I was quite pleased to accept that and I did not submit any kind of a submission to the electoral boundaries commission whatsoever.

Then there were some changes made and the commission sent out a second proposal. They wrote to me and asked what I thought of having five townships out of north Middlesex aligned with Huron rather than the townships out of Perth. It was at that time that I wrote a letter back, saying as far as I was concerned that it made abundantly good sense, that there was a lot in common between Middlesex North and Huron. So I think the member had better get his facts straight before he comes into this House and expounds on something that, as far as I'm concerned, he knows very little about.

Mr. Bullbrook: When he is wrong though, he is cabinet material.

Mr. Riddell: The member for Middlesex South, Mr. Speaker, is very uneasy about losing the town of Strathroy, because it lessens his chances of retaining his seat in the House. I can only say that I welcome the opportunity of representing the town of Strathroy and the township of Adelaide, if this is the wish of the electoral boundaries commission.

I might say, Mr. Speaker, that my roots were first established in Middlesex county, having been born and raised there. I had many occasions to travel Middlesex county with the late W. K. Riddell, who was my father and the former agricultural representative in the area. I know Middlesex county well and I will repeat that I will be only too happy to represent the townships out of Middlesex North as well as Adelaide and the town of Strathroy.

I am sorry, Mr. Speaker, to be losing three townships out of Huron—Hullett, McKillop and Tuckersmith townships—and the town of Seaforth. I would hope that the electoral boundaries commission would take a look, predominantly at Tuckersmith township—

Mr. Eaton: Wouldn't the member want a riding of Huron?

Mr. Riddell: Tuckersmith township juts down within four miles of Exeter, which is considered to be in the southern portion of the riding as it now exists. This means that the member for Huron-Bruce (Mr. Gaunt) will be expected to travel from Southampton clear down to within four miles of Exeter, or within approximately four miles of where I reside in order to serve the people of his riding.

This, to my way of thinking, is somewhat ridiculous. I am not suggesting, Mr. Speaker, that I would like to see any other changes made; other than that I would like to see Tuckersmith realigned with Huron, owing to

the fact that it lies south of Highway 8 and is very much a part of Huron; it is ridiculous to include it with Huron-Bruce.

I'm not trying to say anything else, other than the fact that the next time the member for Middlesex South gets up to speak he had better get his facts straight and maybe talk to the electoral commission.

Mr. Eaton: It is right there in print. It is right there in print.

Mr. Breithaupt: It must be right then.

Mr. Bullbrook: The member must try to control himself, if he can.

Hon. Mr. Handleman: Mr. Speaker.

Mr. Speaker: The hon. minister.

Hon. Mr. Handleman: I would like to bring some calm to this debate by commending the commission on its manner of handling a very difficult and sensitive job. In their first report they took what was left of Carleton, changed its name, reduced it to one municipality and from a demographic point of view I suppose that report made some sense.

I did make some submissions to the commission. I asked for three minor changes. They responded by making two of the three that I had requested, and I suppose I should leave well enough alone and say two out of three ain't bad. The third one, on which they turned me down, I would like to raise again, not only on my own behalf, but on behalf of my colleague, the Minister of Housing, the member for Grenville-Dundas (Mr. Irvine).

I believe in the community of interests. The riding that I now represent as a result of the second report is a completely urban riding, and as one who has represented an urban-rural riding for the past 3½ years I can attest to the fact, as the member for Renfrew South so forcefully stated, that it is indeed a different breed of animal. The people who suffer are, in fact, the rural people, because the member normally based in the urban part of the riding simply cannot respond to the rural needs. The very fact that there is a long-distance telephone charge from the rural part of the riding to the urban part of the riding makes an urban-rural riding nonsense.

So, the point that I would like to make, Mr. Speaker, is that in the second report, the commission, whether through lack of knowledge or lack of time to study, in fact created an urban-rural riding in which the urban part of it is in the minority, and that is the new riding of Carleton-Grenville. The township of Goulbourn is an entirely urban community. It has a large, country, open part and, therefore, geographically it looks large. That part of the riding is so sparsely populated that it really is negligible. It is an urban community based in the communities of Glencairn, Richmond and Stittsville. Their umbilical cord to Ottawa is the Queensway. They share that with the community of Kanata, which is now in the riding of Carleton.

The township of Goulbourn is in the western growth area, as reflected in the Ottawa-Carleton official plan. It will eventually form part of an urban community of 100,000 people. Looking ahead to the next redistribution, as one of the members mentioned, I believe that Goulbourn should now be included in Carleton, and at the time of the next redistribution there would only be one piece of surgery necessary rather than two.

So I again asked the commission to look at the debate and to consider the possibility of returning Goulbourn to the riding of Carleton. I want to say now how much I regret losing the townships of West Carleton and Rideau—the township of West Carleton for two reasons; first, because it is the place of abode of my distinguished predecessor in this House, Mr. Erskine Johnston, and I have always been happy to have Mr. Johnston as a constituent; the second reason is that it also is the place of abode of the perennial Liberal candidate for Carleton. I was hoping to see him come back for a fourth attempt. Unfortunately, he will probably have to try to run against the member for Renfrew South if he wishes to be a candidate in the next election.

Mr. Breithaupt: A change is as good as a rest.

Hon. Mr. Handleman: The township of Rideau, which is part of the Ottawa-Carleton municipality, will be going to my colleague, the Minister of Housing. I know he welcomes these fine people. They are a rural community and they wish to remain a rural community. I will miss them deeply.

I do ask again of the commission that they take a look at the urban nature of the township of Goulbourn and rejoin it with its neighbours in Nepean township and Kanata to make a completely urban riding with a population, based on the 1971 census, of approximately 77,000. I will hear cries of rage about representation by population. There is simply no reason to believe that somebody representing a completely urban riding can-

not represent 75,000 to 80,000 people as easily as the man who represents 35,000 in a rural riding.

I can speak from experience on this, Mr. Speaker, having tried to represent both. I can assure my colleagues to the south, it is much easier to represent an urban riding. The 250 miles that I put on my car every weekend now are primarily to serve a very small part of the population of the riding. When I hear the member for Ottawa Centre talk about a mile and one-half of farmland making strangers of one part of his riding from another, I wonder what he would say about the 60 miles that now separate the people in Fitzroy Harbour from the people in Kars and Burritts Rapids.

I want an urban riding, Mr. Speaker. I feel that the people in Goulbourn should be in an urban riding and I know that they will back me on this at the time the commission, if it does, receives renewed representations. That's all I wanted to say and it's very brief today, Mr. Speaker.

Mr. Speaker: The member for London North.

Mr. G. W. Walker (London North): Mr. Speaker, I rise to speak about the boundaries within the limits of the Middlesex county area, including the city of London. I must say that the commission is to be congratulated for its fine efforts in realigning some 117 ridings in the province. Recognizing the ripple effect that must occur with every slight modification, it's amazing that they can have so little concern expressed throughout all the province. It's a credit to them that there are only a few areas that need to be altered at this point in time.

It's about the Middlesex and London areas that I speak, Mr. Speaker. I identify myself entirely with the comments of the member for Middlesex South and my colleague from Middlesex North (Mr. Stewart) who will no doubt join the debate shortly. It has become apparent that the county limits of Middlesex must not be crossed or violated. The members for Middlesex North and Middlesex South by the time this debate has finished will make it abundantly clear that such a violation should certainly not occur. There is little to be gained from my reiteration of their particular arguments other than to say that I agree entirely.

Now comes the question of what to do about the city of London and its relationship with the surrounding county. Mr. Speaker, the population of London in 1971 was about 225,000. The county of Middlesex was about 59,000. Those figures lend themselves perfectly to the creation of three urban ridings of about 75,000 each in the city of London and one rural riding in Middlesex of about 59,000. To draw three riding boundaries in London is quite simple when we apply the parameters of the motion found on the order paper of Dec. 5, which motion in effect struck the commission.

When the four London and Middlesex members considered the problem of creating three urban ridings to occupy the entire corporate limits of London, a solution was immediately apparent because the commission had already done the work for them. The December commission proposal had created in London two fully urban ridings and two ridings that were part urban and part rural. By leaving the riding the commission designed for the centre of the city, which was then called London North, by and large untouched, and by leaving London South by and large untouched, that left one riding already stretching across the top of the city from the far west to the far east with two rural townships attached to it. The commission called that Middlesex North even though it was about 90 per cent London population.

To create one rural riding of Middlesex, we merely moved the two rural townships away, that is, London townships and West Nissouri township, to the rural riding of Middlesex, where they will rightfully belong. That step left the top, almost northerly, London riding short of population, compared to what we felt was the average population for 75,000 people in each of the three ridings. The most northerly or top London riding merely moved into the population areas being vacated by Middlesex South.

To balance off all the population in three urban ridings at about 74,500 each, we added one census tract to the centre riding and one or two census tracts to the south riding. Therefore, by using the commission proposal of December as the basis and by only minor modifications to the centre riding, that is, the addition of one census tract, and to the south riding adding one or two additional census tracts and by adding the balance of the city to the northern riding, we have three perfectly balanced urban ridings.

As I indicated and reiterated, Mr. Speaker, we only slightly modified the December commission proposal to have the three perfectly balanced urban ridings in the city of London. But for the urban-rural split, the commission has already met practically every one of the criteria described in the motion

of 1973 that set up the report. Our modifications do not really alter their December proposal. By our proposal, the internal boundaries of London are made up to the extent of about 96 per cent, being either of these three: the Thames River, major arterial connective roads or the Canadian National Railways' main line. All of these boundaries are vast barriers bordering communities but not separating communities of interest.

The same boundaries for the existing ridings of London North and London South could not be preserved in that each of those ridings were approaching 100,000 population and therefore had to be reduced in size to about the 75,000 measure.

Therefore, Mr. Speaker, on behalf of the London and Middlesex members, I would present our proposal, which is one rural riding for Middlesex and three urban ridings in London. I would table the proposal in the form of a map showing the divisions and now offer the following physical descriptions:

Specifically, Middlesex riding would have 59,000 population and would consist of the entire county of Middlesex but would not include the city of London. The county area is made up of the following townships: Dorchester North, Westminster, Delaware, Caradoc, Ekfrid, Mosa, Metcalfe, Adelaide, Lobo, Williams East and Williams West, McGillivray, Biddulph, London and West Nissouri, and of course all the towns, villages and builtup areas contained within those municipalities.

In the London ridings, there would be three contained within the corporate limits of the city of London. One would be London Centre, population 74,306. It would consist of census tracts number 25, 24, 23, 33, 32, 31, 35, and 36 (west of Highbury Ave. only) and 34, 39, 40, 41, 42, 43, 45, and 21. London Centre is, but for census tract 21, no different from the December, 1974, commission proposal, identified at that time as "North." Tract 21 is added to balance the population with the city's two other ridings.

Another riding would be London North. This riding would have a population of 74,562. It, along with London South, would encircle the London Centre riding. London North consists of census tracts number 8, 9, 20, 44, 51, 50, 49, 48, 46, 47, 38, 37, 29, 28, 30, 27 and part of 36 that is east of Highbury Ave. London North differs from the December, 1974, commission proposal in that the commission called it Middlesex North at that time because it included two additional townships of the county of Middlesex. This proposal does not include the two townships of the county of Middlesex.

To balance the population, it proceeds south at its east end to acquire census tracts 30, 29, 28 and 27, that part below Dundas St. These four tracts were formerly in the riding of Middlesex South. It further differs in that it does not include tract 21 for the reasons previously enumerated in the description of London Centre.

The final riding is London South, 74,354 population. It consists of census tracts 7, 6, 5, 4, 3, 2, 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 26. I would implore the commission to accept that proposal, Mr. Speaker.

Mr. Speaker: The member for London South.

Hon. J. White (Minister without Portfolio): Mr. Speaker, the length of my remarks should not be construed as evidence of my interest in this matter. Because while my remarks may be short and even shallow, I can assure you that my interest is long and very deep. Now, I want to congratulate the commission first of all on its approach to an almost impossible task. Without fear or favour it has done the very best that three wise people could do and it has brought in a redistribution plan which is no doubt a very great improvement upon the present electoral boundaries and which is agreed to by most observers as being entirely satisfactory in many of its details. London-Middlesex, however, is an exception to that general evaluation—

Mr. R. G. Hodgson: It all depends where one is situated.

Hon. Mr. White: —and I would like to support the detailed proposition made by the hon. member for London North. This isn't a partisan matter, Mr. Speaker, I can assure you. Because while it's true the commission, quite rightly, cannot and do not look at the political consequences of the changes in electoral boundaries, I myself have done so and I can assure you that the plan presented is not of particular value to our particular party. In fact, many other arrangements could be made which would be far more advantageous to the party which I have represented.

Mr. T. P. Reid (Rainy River): Nothing's going to help the Tories the next time.

Hon. Mr. White: It's not a partisan proposal as evidenced, I suggest to you, Mr. Speaker, by the fact that the county council of Middlesex has supported the plan which we now offer to the commission for its consideration, as have some number of township councils. It has been supported by a number of my own acquaintances on the London city council as well as informed observers from other parts of the community. It has the full backing of the four MPPs from the area, two of whom have spoken already—the hon. member for London North and the hon. member for Middlesex South. And I understand it will be supported by the distinguished member for Middlesex North.

What it would do, sir, is to re-establish the integrity of the Middlesex riding, which is the wish of everyone affected. It would, at the same time, provide several city ridings, each of which would have an almost identical population of about 74,000. It would provide a riding of London South almost identical to that defined by the commission itself. It would provide a London Centre riding almost identical to the so-called riding of London North, defined by the commission itself. So in many respects it coincides with the objective and learned decisions of the commission.

It does, however, have the great advantage of restoring to the county of Middlesex the prospect of having one member representing it in this chamber. This is a great advantage to the county council, to the township councils and indeed to the 59,000 people who would be in that rural riding.

The ripple effects may be touched upon by my colleague, the hon. member for Middlesex North. I can't speak with authority on the subject, except to say that the solution proposed by the hon. member for London North would enable the commission to meet the wishes of Huron county, as I understand it, supported by the hon. member for Huron, of having a riding more or less coincident with the county itself. It would, with a few minor variations, enable the county of Bruce to have a riding more or less coincident with the county of Bruce.

Therefore, while there would be ripple effects from the suggestion we now propose, I suggest to you, sir, that those ripple effects in themselves would be an improvement. So I take great pleasure in supporting my colleagues, the hon. member for London North, and my neighbours from Middlesex North and Middlesex South, in imploring the commission to consider this proposal, which I believe personally to be a very great improvement upon plans previously rendered.

It being 6 o'clock, p.m., the House took recess.

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No. 166



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Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

NOTICE OF MOTION No. 2
(continued)

Mr. Speaker: When we rose at 6 o'clock we were considering a certain resolution and some hon. member had just finished. Does the Minister of Agriculture and Food wish to lead off?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I welcome the opportunity to participate in this discussion on the resolution that was presented by a number of my colleagues.

Before I make any comments on the resolution, I would like to pay tribute to the electoral boundaries commission for grappling with what would appear to many to be an almost impossible task. I pay tribute to the members for doing as well as they certainly did with a most thankless and complex job.

I suppose it would require the wisdom of Solomon and several others combined to ever possibly be able to draw riding boundaries that would meet with the approval of everybody concerned, whether they be members of this honourable assembly or whether they be the constituents that we have the privilege and honour of representing in this House.

But, sir, I would draw your attention to the resolution that was presented on Dec. 5, 1973, in the afternoon session of that day, which not only established the commission but also went further, to set up the purposes of the commission. Might I draw your attention, sir, to page 6614 of Hansard of that day, which mentions that for the purpose of the distribution the commission shall take into account: (a) community or diversity of interests; (b) communication; (c) topographical features; (d) population trends; (e) the varying conditions and requirements regarding representation as between urban and rural electoral districts; (f) existing boundaries of municipalities or wards thereof.

It went on to describe several other matters that I believe are pertinent to those very important terms of reference.

If one is to take into consideration those matters that have been already referred to, speaking first of the diversity of interests, and taking into consideration the representation between rural and urban electoral districts and the elect existing boundaries of municipalities—

Mr. E. Sargent (Grey-Bruce): What's the minister's point? What is his point?

Hon. Mr. Stewart: —one would be drawn to the inescapable conclusion that the stand taken by my colleague and friend from Middlesex South (Mr. Eaton), by the member for London North (Mr. Walker), and the member for London South (Mr. White), would seem appropriate and reasonable. I simply point out to you, sir, that in the 17 years I have represented a part of Middlesex county—

Mr. J. E. Bullbrook (Sarnia): Hoist on his own petard.

Hon. Mr. Stewart: —there has never been a time nor any item or issue that has generated as much interest and concern in the county of Middlesex as the proposed redistribution boundaries.

Mr. E. R. Good (Waterloo North): It's a dog and cat game!

Hon. Mr. Stewart: Yes, indeed; and take that into consideration, if you wish, Mr. Speaker, because I would say I've had 10 times as many letters on this issue as I had on the—

Mr. Bullbrook: That is something, oh boy.

Hon. Mr. Stewart: —cat and dog issue.

Mr. Bullbrook: Does the minister mean to say that with inflation, unemployment and the problems we have, that they are worried about boundaries? Isn't that something, isn't that something!

Mr. Speaker: Order; order please.

Hon. Mr. Stewart: My hon. friend from Sarnia gets himself all worked up and all excited. He can make allusions to my friends from Holstein county.

Mr. Speaker: Order please. I would ask the member for Sarnia to kindly let up on his interjections.

Hon. Mr. Stewart: It will be interesting reading for my people in Middlesex county to read how little their friend the Liberal member for Sarnia, the great Bullbrook, thinks of the people of Middlesex county. Let that be recorded in Hansard.

Mr. Bullbrook: Yes.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Let that be recorded, precise and clear.

Mr. Bullbrook: Let me tell my friend the minister, if that's all they have to worry about—with the problems in the world they are worried about boundaries? My goodness gracious.

Hon. Mr. Stewart: I listened with some interest this afternoon to the discussions that took place, I think, Mr. Speaker, that we're all entitled to have a little bit of respect. We listened to the comments from over there this afternoon, and I think if they had any desire to show any degree of courtesy—

Mr. Bullbrook: I want to tell the minister I have a little bit of respect, a very little bit.

Mr. G. Nixon (Dovercourt): Throw him out.

Mr. Speaker: Order please. Will the hon. member for Sarnia cease and desist from the continuous interruption?

Hon. Mr. Winkler: He told the member to be quiet.

Mr. Speaker The hon. member knows. Will the minister continue?

Interjections by hon. members.

Mr. Speaker: Order please. The hon. member for Sarnia does not have the floor. I would ask him not to try to test my patience further.

Mr. Bullbrook: You don't have to single me out.

Hon. Mr. Stewart: Thank you very much, Mr. Speaker. I appreciate that very much.

Mr. P. D. Lawlor (Lakeshore): What kind of privileged human being does the minister think he is?

Mr. Sargent: Get to the point.

Mr. Speaker: Order please. The hon. minister has the floor.

Hon. Mr. Stewart: Mr. Speaker, let me refer to the resolutions that have been passed and were enunciated this afternoon. I refer to the county of Middlesex resolution, which means a very great deal to me. I think that it should be read into the records again, because I want it to show in Hansard.

Mr. Bullbrook: A sad commentary.

Hon. Mr. Winkler: Yes, the member is a sad commentary.

Hon. Mr. Stewart: We have a resolution from the county of Middlesex which reads, and this is signed by the clerk administrator of Middlesex county, Mr. Ron Eddy—

Hon. Mr. Winkler: I'll report it to the Victoria papers. The member is in trouble.

Hon. Mr. Stewart: It reads as follows:

1. Agreed that the present electoral districts are satisfactory and acceptable.

2. Opposed to the recent recommendations of the electoral boundaries commission regarding provincial electoral districts.

3. Agreed to submit the following proposals to the commission: That there be three provincial electoral districts for the city of London; the provincial electoral district for the county of Middlesex to ininclude the entire county.

4. That the clerk be directed to forward this information to the provincial cabinet, the Ontario electoral boundaries commission and the local MLAs.

That was supported unanimously, as I understand it, in county council. We had the same kind of a resolution from the Middlesex County Federation of Agriculture; from the village of Lucan; from the township of London; from the township of west Nissouri; the township of McGillivray; the Middlesex County Bean Growers Commodity Board which have their head offices in Middlesex county; the corporation of the town of Parkhill and several others. I have received in total almost 200 individual letters—several of them were form letters, many of them were personal letters—opposing the redistribution proposal.

I think it's fair to say in regard to the resolution proposed by the county of Middlesex that the electoral districts be maintained as they have been for the last several years, that it is something that all of us would like

to be able to continue, but I believe one has to be realistic enough to recognize that the population of Middlesex North is such that it simply cannot be continued when redistribution is being considered throughout the province. There have to be some changes made.

We were intrigued by the form of the first proposal of the redistribution commission when they proposed that the riding of Middlesex North, as it had been constituted rurally, would be maintained, and that certain portions of the city of London would be added to the riding to give it sufficient population for continuance. That seemed to be an acceptable proposal. However, the ridings immediately to the north of us were apparently where the problem developed. Because we are led to believe that the riding of Huron, as was mentioned this afternoon by the hon. member for Huron (Mr. Riddell) is to extend over into the south part of Perth county.

I'm led to believe, by discussions that I've had with people in that area and by reading the London Free Press issue of Friday, Dec. 13, that there was great consternation in Perth county regarding the loss of several townships and some towns in that particular area to the riding of Huron. Representations were made, I understand, to put Perth back together again as it had been in the past. That left the commission in the position of having to make some arrangements concerning the ridings of Huron, Huron-Bruce and Grey-Bruce, because I believe that, like Middlesex North, when one looks at the total population of those three ridings it would be difficult indeed to justify the continuance of those three ridings. As a result, recommendations were made.

I heard my hon. friend from Huron admonish my friend from Middlesex South this afternoon to get his facts straight. I would like him to recall also that it might be wise for him to get his facts straight as well. If I may indulge your time for a moment, sir, let me read from the Friday, Dec. 13 issue of the London Free Press:

> The cause of the commission's turnaround in the area seems to be the existing riding of Huron. The riding had to be expanded to conform with provincial population goals for ridings.
>
> The original proposal was to include a portion of the current riding of Perth, held by Liberal Hugh Edighoffer, and the Huron riding held by Liberal Jack Riddell.
>
> Under that proposal the townships of Fullarton, Hibbert and Blanshard, as well as St. Marys and Mitchell, where Mr. Edighoffer lives, would have gone to Huron riding. Mr. Edighoffer and Perth county council strongly objected to that proposal.
>
> The only change to be made in Perth riding is the removal of Palmerston, which would be placed in a new riding to be called Wellington-Peel.
>
> At the same time, Mr. Riddell was approaching the commission, asking a portion of Middlesex North be placed in his riding.

Now that is stated in the London Free Press by Mr. Pat Crowe.

Mr. J. Riddell (Huron): Point of order, Mr. Speaker.

Mr. L. C. Henderson (Lambton): They don't want the member very badly up there.

Mr. Riddell: Point of order.

Mr. Speaker: What is the point of order?

Mr. Riddell: Despite what was written, in the paper, Mr. Speaker, I would like to read into the record the letter I received from Mr. Brian McCool on Aug. 8, and I quote—

Mr. G. Nixon: What is the point of order?

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Riddell: This is a point of order.

Mr. Sargent: Go right ahead.

Mr. Speaker: Order please. There is no point of order. There is nothing out of order—

Mr. Riddell: There is a point of order. I am trying to explain—

Mr. Speaker: Well, just explain it.

Mr. G. Nixon: Get to it.

Mr. Good: It is a point of personal privilege. He has been accused.

Hon. Mr. Stewart: The member had his chance this afternoon; he explained it then.

Mr. Speaker: Order please. This is developing into a debate. What you should do is just make your statement.

Mr. Riddell: On a point of personal privilege then, Mr. Speaker, I'm being accused of something which I am certainly not responsible for.

Mr. Sargent: Right.

Mr. Riddell: The letter I received from Mr. McCool said—and I quote:

> Further to correspondence which we have received from various interested parties with respect to the electoral district of Perth, as announced on June 8 the commissioners have been making tentative plans for a rearrangement of the boundaries. You will understand, of course, that the map which I enclose has no official status, but the commissioners would be pleased to have your comments on the sketch here provided.

Mr. Speaker, here is the sketch which they provided me and which was the first indication that I had that they wanted to include five townships of North Middlesex in the Huron riding.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Riddell: I simply sent a letter back to Mr. McCool dated August 16:

> Dear Mr. McCool:
>
> I wish to acknowledge your letter of Aug. 8 regarding tentative plans of the Ontario electoral boundaries commission for rearrangement of the boundaries. Including parts of North Middlesex with Huron makes abundantly good sense in my opinion as the move closely approximates the existing federal boundary which constituents have become accustomed to; and apart from this, the townships in Middlesex North have much more in common in most respects with townships in Huron than do Perth county townships.

Mr. R. G. Eaton (Middlesex South): That is the member's opinion, not the townships' opinion.

Mr. Sargent: Get with it.

Mr. Riddell: To continue:

> With Hibbert township included, it means I represent parts of three counties, being Huron, Middlesex and Perth, which entails a much heavier workload, but I am prepared to meet the challenge. I would suggest, however, that Perth county council would like to have Hibbert stay within the boundary of the Perth constituency.

Mr. Eaton: Why didn't the member check with Middlesex county council?

Mr. Riddell: Keep your skirts on.

Mr. A. J. Roy (Ottawa East): Don't take that. Hit him with your purse.

Mr. Riddell: The letter goes on:

> I would be agreeable, as that would mean that my responsibilities would rest within two counties rather than three. I wish to thank you for the opportunity to express my opinion on the matter.

Mr. Speaker, this clearly shows that I was asked for my comments and I gave my comments. Whatever the press picked up from that is their doing and not mine.

Mr. R. F. Nixon (Leader of the Opposition): Answer that.

Mr. Speaker: I think the hon. member had a right to correct any wrong impression which might have been given. The hon. minister.

Mr. Sargent: Sure he did.

Mr. Roy: We will accept the minister's apology now.

Hon. Mr. Stewart: Mr. Speaker, naturally I am most delighted to hear that explanation from my hon. friend.

Mr. G. W. Walker (London North): That was Dec. 13.

Hon. Mr. Stewart: My hon. friend has given us some ideas here as to what his position actually was. It strikes me as being most interesting that the commission were interested enough in his riding to address a letter to him asking his opinion of what their changes might be. I find it interesting to see the commission make a recommendation which virtually decimated the riding of Middlesex North without any reference whatever to whether or not the local member or the people there were interested in it.

Mr. Sargent: The minister has done a pretty good job himself.

Hon. Mr. Stewart: However, be that as it may, I still believe—

Mr. R. Haggerty (Welland South): Let the minister read his letter.

Mr. Roy: Did he get a letter from the commission?

Mr. Haggerty: Did he submit a brief?

Mr. Speaker: Order please.

Hon. Mr. Stewart: As far as we are concerned, I find it interesting to have observed in print and to have had at least several members of Huron county council tell me that the hon. member for Huron had discussion with county council concerning the proposed redistribution boundaries of Huron suggesting that I, Bill Stewart, was quite amenable to the recommendation that he has made in taking in the several townships of Middlesex North.

Let me make it categorically clear that at no time did I ever even suggest that to the hon. member for Huron or to anyone else at any time ever. And let that be known specifically.

Mr. Riddell: And at no time did—

Hon. Mr. Stewart: I hope my hon. friend will be as free with his ink in that statement as he was in stating that I was prepared to go along with that kind of a suggestion, because that is categorically wrong.

Mr. Roy: That is hearsay.

Mr. Riddell: I never made that statement.

Hon. Mr. Stewart: But my hon. friend then must find some of his Huron county councillors telling him untruths, because they are telling us that he did indeed state that very fact. What is more, when the suggestion was made—

Mr. Roy: The minister is now being petty.

Hon. Mr. Stewart: —that Huron county might well have done the same as Perth did, that is to respect the boundaries of Huron county and when the member for Huron-Bruce was asked what his reaction would be to that, he didn't find there was anything wrong with it.

Mr. Riddell: Point of privilege, Mr. Speaker.

Mr. Speaker: Point of privilege.

Mr. Riddell: I never made that statement to the county council. I would invite my hon. friend to come with me to a county council meeting and we will thrash it out there.

Mr. R. F. Nixon: That is the solution.

Hon. Mr. Stewart: I haven't any notion of going to Huron county council. My hon. friend was there and I have his stories. I also have the stories that appeared in the press.

Mr. Roy: Get out of the kitchen.

Hon. Mr. Stewart: As a matter of fact, one of the county councillors left the chamber and called my home immediately after he made the statement. Now he can deny it if he wishes—

Mr. R. F. Ruston (Essex-Kent): Did the minister tell him he is wrong?

Mr. R. F. Nixon: Why doesn't the minister run again? We will settle it then.

Hon. Mr. Stewart: He asked me about it right then and there.

Mr. Roy: The minister is a bit of a crybaby.

Hon. Mr. Stewart: Now, Mr. Speaker, let me say this, that if there is to be any real problem here—

An hon. member: No gerrymandering.

Interjections by hon. members.

Mr. Speaker: Order please. The hon. minister will continue with the debate.

Mr. Bullbrook: The important thing in Middlesex is the boundaries. Never mind the appointment, never mind inflation, get to the most important thing.

Mr. Riddell: Mr. Speaker, would the minister name the chap who phoned him?

Hon. Mr. Stewart: No, I haven't any notion of naming the chap.

Mr. Riddell: The minister is chicken.

Mr. T. P. Reid (Rainy River): The minister is misleading the House.

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Stewart: Well, Mr. Speaker, I am quite prepared to name him. It is the current warden of Huron county, who went out of the room and called me directly and said, "Is it right?" And if the members want to read it, there it is right there.

Hon. Mr. Winkler: Swallow that one, boys; swallow that one.

Hon. Mr. Stewart: There it is right there.

Interjections by hon. members.

Mr. Walker: The member for Huron should retract.

Hon. Mr. Stewart: Now, Mr. Speaker, I understand my friends are greatly exercised over there. But you know, Mr. Speaker, I listened all through the by-election to my friends over there, and particularly the hon. member for Huron—

Mr. Ruston: The minister is still fighting that by-election. Yes, he couldn't take it.

Interjections by hon. members.

Hon. Mr. Stewart: Mr. Speaker, surely my hon. friends will allow me to make a presentation on a very important matter.

Mr. Bullbrook: Is he paving his whole farm? Is that true, is that rumour true? He is paving his whole farm?

Hon. Mr. Stewart: I simply ask my hon. friends over there, why are they so touchy about putting the great riding of Huron together, when of course they were so interested in municipal boundaries during the by-election that they were saying this government was going to come in and force regional government on the people?

Interjections by hon. members.

Hon. Mr. Stewart: Mr. Speaker, today I am simply suggesting that the great county of Huron, which has one of the greatest diversities of agriculture in all Ontario—

Mr. R. F. Nixon: One of the best members.

Interjections by hon. members.

Hon. Mr. Stewart: —be put back together as one constituency within its county boundaries, respecting the integrity of the county of Huron.

Hon. Mr. Winkler: Very good.

Mr. Riddell: We are represented by a great member.

Hon. Mr. Winkler: Remember, the member said it.

Hon. Mr. Stewart: We realize, Mr. Speaker—

Mr. Eaton: Why is the member opposed to Huron being one riding?

Mr. Bullbrook: Will you keep that lady quiet over there?

Hon. Mr. Stewart: Well, the other lady is leaving. I would suggest this, Mr. Speaker—

Mr. Sargent: Why doesn't the minister pave his barnyard again?

Mr. J. R. Breithaupt (Kitchener): The only farmer in the Conservative Party.

Hon. Mr. Stewart: We must recognize that there will be one less rural riding as far as Middlesex is concerned.

Mr. R. F. Nixon: Of course they do.

Mr. Speaker: Order please.

Hon. Mr. Stewart: But when one looks at the population trends in that area, Mr. Speaker, one would be concerned—

Mr. Sargent: Talk about the barnyard.

Hon. Mr. Stewart: My hon. friend from Grey-Bruce seems to be more comfortable in the barnyard than I do, so why doesn't he go there? That'd be a good place for him to be.

Hon. Mr. Winkler: Tell us about the Downtowner, in back of the Downtowner, in his barnyard, in his big barnyard.

Mr. Speaker: Order please. Will the hon. members refrain from the interjections and the hon. minister continue with the debate?

Mr. Sargent: He is controversial.

Mr. Roy: He is very provocative.

Mr. Speaker: Order please.

Hon. Mr. Stewart: Mr. Speaker, I recognize the situation.

Interjection by an hon. member.

Hon. Mr. Winkler: Throw him out, Mr. Speaker.

Hon. Mr. Stewart: The ridings that the county of Middlesex and the Federation of Agriculture and the other municipalities support in Middlesex were enunciated by my friends from Middlesex South, London North and London South today. They result in ridings in the city of London of approximately 74,000 each. The riding of Middlesex, outside of the city limits but including the entire county, would represent 58,810. And if they have to look after population—which obviously they needed to look after to come down into Middlesex county to take all of those townships out of it to add to Huron—Huron put back together as one particular county riding would be 57,240, quite within the terms of reference. The riding of

Grey-Bruce would be 65,680 if Bruce were to maintain its county boundaries as well.

Mr. R. F. Nixon: The minister has this all worked out.

Hon. Mr. Stewart: Surely that, to me, would be a reasonable suggestion and a very reasonable proposal—

Mr. M. Gaunt (Huron-Bruce): The minister is trying to get rid of me.

Mr. R. F. Nixon: What has the minister got against the member for Huron-Bruce?

Hon. Mr. Stewart: —made by the people of this whole area. No, I have nothing against him whatever.

Mr. Speaker: Order please.

Hon. Mr. Stewart: Not a thing, he is a very honourable and a very credible member.

Mr. Ruston: The minister has just left him with one less riding, that's all.

Mr. Gaunt: I have always spoken so highly of the minister.

Hon. Mr. Stewart: Yes, indeed and I have of the member.

An hon. member: It should be the member for Huron anyway.

Mr. W. Ferrier (Cochrane South): Well there is no difference between those two parties anyway.

Hon. Mr. Stewart: I just simply say to you, Mr. Speaker, and through you to the commissioners who will read these comments in Hansard, we will recognize—

Mr. R. F. Nixon: With bated breath.

Interjections by hon. members.

Hon. Mr. Stewart: —that they didn't have a very easy job to do. We simply suggest to them that they take a look now at what to me seems to be a very reasonable proposal emanating from Middlesex county, and also a proposal that I should think would be perfectly reasonable and right for the people of Huron county, many of whom have suggested to me that there's no possible justification for maintaining those two ridings in that particular area.

Thank you very much, Mr. Speaker.

Mr. R. F. Nixon: Past services to the Conservative Party.

Mr. Speaker: The member for Rainy River.

Mr. Reid: Thank you, Mr. Speaker. I will endeavour to be a little less provocative than the Minister of Agriculture and Food.

Mr. J. M. Turner (Peterborough): Is he assuming or presuming?

Mr. R. F. Nixon: Don't worry about that.

Mr. Reid: Mr. Speaker, I rise really to try and balance some of these speeches that have been made in the last two days, in regard particularly to the fact of the imbalance of population as between urban centres, particularly the cities and the rural areas. And as most members I believe have done, if I may say so, I probably speak with a certain amount of selfishness when I speak concerning the new boundaries.

As you are aware, sir, one of the guidelines of the commission was that ridings in northern Ontario would be left substantially as they were and that the number of ridings would not be reduced. I believe the NDP in particular have made the case and played the numbers game, reverting to something that, while not particularly and completely out of style, I think should not be accepted holus-bolus either by the House, or by the commission in particular, and that is that all ridings should be on an equal population basis or very nearly so, especially urban as opposed to rural.

Mr. Speaker, I have spoken many times in the House about the problems of a northern riding, particularly in the distances involved and getting around. I don't think we want to go back in history and review the "no representation without population"; when you had to have a certain income before you were allowed to vote, and what boiled down to in the last century perhaps as "representation by population." I would suggest to you, sir, that while this isn't an entirely outmoded concept, surely in this day and age we can temper that with a little bit of reason.

I would like to try and balance the arguments that have been put forward, particularly as I say by the NDP, with a suggestion to the commission and to the House that service to constituents should be weighed very carefully when we consider electoral boundaries and ridings.

I think, Mr. Speaker, it's apparent to most of the members—although from listening to some of the debates perhaps not as obvious as it is to me—that service to constituents is one of the things that we are here to provide primarily and it is just not possible in a rid-

ing that encompasses literally hundreds of thousands of square miles. As a matter of fact, I would like to draw upon the experience of one of the NDP members to make my point, Mr. Speaker.

The member for Thunder Bay (Mr. Stokes) services a riding of over 100,000 square miles. It is perhaps a little difficult for most southern, eastern, or western Ontario members to understand just exactly what is 100,000 square miles. Northwestern Ontario, of which the Thunder Bay riding is a large part, encompasses something like 250,000 square miles, which is over two-thirds of the land mass of the Province of Ontario. In those 250,000 square miles, we have five members of the Ontario Legislature. Two of them come from the city of Thunder Bay, which has a population of some 110,000 people approximately. Three of us—the Minister of Natural Resources (Mr. Bernier), the member for Thunder Bay and myself—represent an area encompassing close to, I would say, 240,000 square miles of Ontario.

The member for Thunder Bay's riding goes, if I recall correctly, from Hompayne on the east away up to Pickle Lake on the far northwest. He doesn't have any kind of direct south and north or east and west connections. He has to travel primarily by car on roads that do not go from point to point, but which take him, literally, hundreds of miles out of his way. He represents 25 or 30 or more communities—all with different problems, all with people who have different needs and requirements.

My riding, sir, is slightly smaller. It's only 17,000 square miles. I have approximately one voter per square mile. The total population is somewhat higher; but approximately one voter per square mile.

Now in a rural riding, particularly in northern Ontario, sir, our problems are a great deal different from what they are in rural Ontario or southern Ontario. Often we are the only legal aid or assistance available. We are an employment agency, we are lawyers; we are the community crying towel, if you like; we are also the community planners. We carry out many of the functions of government and act as ombudsmen, many of us do. This is because the government agencies and departments, whether municipal or provincial or federal, are just not handy to the people who live in these areas.

As an aside I'm sure you'll find interesting, Mr. Speaker, I'm often called upon, for instance, to be a marriage counsellor.

Interjection by an hon. member.

Mr. Reid: You're saying to yourself, Mr. Speaker, now why would anyone approach the member for Rainy River for advice on their marital problems? I must say when I began my political career I asked myself the same thing, Mr. Speaker. I started out by asking them: "I am not married; why would you come to me to solve your marital problems?" The answer, sir, was simply this: "If you're not married, you must be a lot smarter than those of us who are. Therefore we think that you can give us some advice."

Mr. R. F. Nixon: And that's not Liberal policy.

Mr. Reid: However, Mr. Speaker, the problem is a serious one. In ridings the size we have in the north, we have problems servicing the people who elected us and sent us to Toronto.

Interjections by hon. members.

Mr. Reid: In my particular case, Mr. Speaker, and you've heard me say this often, sir, my riding is 1,200 miles from Toronto. You've also heard me use the analogy that Halifax is closer to Toronto than the Rainy River riding. So not only am I called upon to service—

Mr. Roy: He must service every one of his constituents.

Mr. Reid: I'm certainly glad that woke some of these fellows up. It is difficult to provide services to the people in my riding as well as serve as a member down in Toronto.

Mr. Roy: Don't put that in Hansard.

Mr. Reid: Before we got improved air service in my area, I would have to fly to Thunder Bay—usually an hour and a half or two—then drive to Fort Frances where I live, or somewhere in my constituency. This was a drive of 3½ or four hours to meet with the people I represent and to listen to their problems and then do what I could to help them.

I'd like to bring a more immediate example to your attention, Mr. Speaker. On Friday I am to be in Kenora, which is not in my riding, but where we're holding a land-use meeting under the auspices of the Ministry of Natural Resources. Kenora is 130 miles, approximately, from the town of Fort Frances. I can tell you, Mr. Speaker, that the highways I have to travel on are not the 401.

They are not always in the best of condition; although MTC does their best, sometimes.

Mr. Ferrier: The Minister of Natural Resources doesn't keep the roads in his riding in very good shape.

Mr. Reid: They are two-lane highways in northern Ontario. I'm sure, sir, you can understand the problems with the snow, the blizzards and the weather that prevails up there at this time of the year.

Mr. R. S. Smith (Nipissing): Stay home; it would be a waste of time.

Mr. Reid: That is in the morning. I have a meeting there, sir, Friday morning at 10 o'clock. That evening at 5 o'clock—and there's an hour's difference in the time zone—I am to be in Atikokan, which is some 90 miles east of the town of Fort Frances. When you add the distance from Kenora to Fort Frances to Atikokan, it comes to approximately 250 miles that I'm going to have to drive in the afternoon—after having driven to Kenora in the morning to sit in on a meeting in the morning and most of the afternoon, I then drive to Atikokan. Most of these meetings are important meetings that must be attended by the local member.

So I would like to say only this, sir, to reiterate, I would hope that the commission—either this one that has sat and presented its recommendations this time, or future ones—will bear in mind that a large part of a member's duties in this chamber, as ombudsman or whatever else the people who elect him require, requires that that member be available to his constituents so that he may assist them in whatever way they feel he should, and to receive their views so that he can assimilate them and demonstrate them to this Legislature, which in many cases is thousands of miles from his riding.

So again, Mr. Speaker, I hope the Legislature will take this idea of service into account and will not get overly involved in the numbers game and come down with a resolution that each riding must be exactly equal or closely equal in the number of people that that riding represents. Thank you.

Mr. Speaker: The member for Wentworth North.

Mr. D. W. Ewen (Wentworth North): Mr. Speaker, I appreciate the opportunity to take part in this debate. At the outset, I would just like to draw to the attention of the commission that the ridings of Wentworth and Wentworth North are the bedroom communities of the city of Hamilton and in the past four or five years there has been tremendous growth in these two ridings. As a matter of fact, they are the only areas in the region of Hamilton-Wentworth that we can expand.

I realize the difficult task that the commission has had and I admire it because it is a thankless job and very, very difficult. One thing I do appreciate is that they do listen. On the first redistribution that was put out they added to Wentworth North that portion of Wentworth riding that was in the west end, from the town of Ancaster to James St. and South from Mohawk Rd. to the city limits. Adding this to Wentworth North, they added the town of Grimsby with approximately 14,000 people, to Wentworth. Unfortunately the commission didn't realize that Grimsby was not in the new region of Hamilton-Wentworth but was part of the Niagara region and in no way did it want to come in. So it put the commission in a very difficult position of having to make a change there.

There was a very strong letter of protest from the council of Grimsby to the commission, so they reconsidered. In order to accommodate them in that region they had to form another riding and it worked out, with the riding, that they were able to get in there. In the meantime, the commission overlooked what happened to Wentworth after this. It made a much smaller riding and no consideration was given to that section of Wentworth that was put into Wentworth North.

Apparently there was a phone poll taken of 100 people at random covering that particular area, and what amazed me was the fact that the people were cognizant of the town of Grimsby being dropped out of the riding. Of the 100 people consulted and approached on this, not one of them felt that they wanted to leave the riding of Wentworth. They felt now that Grimsby wasn't there they should stay the way they were. In a way I have to agree with them, because as I said at the outset, regarding the redistribution and the growth population in that particular section right now, although this was the 1971 census, talking to the alderman who represents that particular area, we are talking now of 20,000 voters.

In my particular area we are into the expansion. In my own town of Ancaster, sewers are being installed now and we are looking at an additional 40,000 voters in that

particular town by 1980. The regional government has approved doubling the sewage capacity at the town of Dundas, and we are talking another 10,000 voters. In talking to the planners in Flamborough township, in the Waterdown area in particular, they've got on the planning board in the very near future an extension of the sewers in Waterdown to serve another 23,000 people. The mayor there is also talking about three hamlets of 1,000 each. What we're really looking at now by the year 1980, in the riding of Wentworth north alone, is another 80,000 people. I wanted to get this on the record. I've talked to the commission on it and asked them to take another look at it. They felt that I should mention this tonight and I would appreciate it if they would reconsider the redistribution of people in the two ridings and allow those people who feel they would like to remain in Wentworth to remain there.

Mr. Speaker: The member for Ottawa East.

Mr. Roy: Mr. Speaker, I welcome the opportunity to make a few comments in relation to this motion on the question of redistribution. I think that possibly no member, or no riding in any event, was affected as much as my riding in the original proposal. The subsequent proposal, of course, restored the riding.

What I want to do, Mr. Speaker, is to discuss, first of all, the composition of the commission and the fact that never again should members of this Legislature form a commission of this nature without better representation. I think that's clear. I want to pay tribute, Mr. Speaker, to the commission itself. Throughout I feel sincerely they acted in good faith. Originally, at no time did I ever accuse the commission of any intent or gerrymandering or anything of this nature. What I did accuse the commission of was a question of ignorance, that they were not aware of certain aspects of the situation in this province. I think that is not the fault of the commissioners themselves.

I think that we should not criticize, for instance, the members themselves on the commission. After all, the terms of reference were given by this Legislature and the people on the commission were people appointed by the government, so that it would be unfair to them to criticize them personally. On the other hand, I think we should keep in mind that never again should we form a commission which is so unrepresentative of this province generally.

For instance, as far as I know, Mr. Speaker, there was no one on the commission who could speak for people from the north. I appreciate that their terms of reference sort of froze the seats from the north, but the fact remains that there was no one who could be representative on the commission from the north. This is especially important when the commission did not have any public hearings so that it was difficult to get input.

I think the original recommendations are reflections of individuals who sat back with the slide rules and with certain so-called experts—and I'm not talking about the people on the commission but some of the people who were hired by the commission—and came down with certain decisions, which on paper appeared to make a certain amount of sense but, in fact, were splitting up communities. They had no idea whatsoever of the ethnic or geographical or even the historical backgrounds of different ridings representing different areas.

I do not criticize the commissioners or the members of the commission themselves. All I say is that I think that for all members of this House reproaches, criticisms and comments should not be partisan on this because I think we all have an interest in seeing that individuals within certain areas receive adequate representation. But the fact remains that we should never again establish a commission which, in my opinion, Mr. Speaker, is so unrepresentative of this province as a whole.

I mentioned people from the north. There was no one from eastern Ontario on the commission and there are a lot of seats down there. I think it is clear from the original recommendations of the commission that the commissioners had no idea what they were doing with a riding like Ottawa East, which is the only urban riding which has a francophone majority. Once this was pointed out to the members on the commission, right away there were steps taken to correct the situation.

I found that the commissioners themselves were most sympathetic. I found that the secretary of the commission, Mr. McCool, was a gentleman that you could discuss it with. He would accept alternatives; as far as I'm concerned he was prepared to discuss with every member of this Legislature alternate proposals which would make some sense within the overall redistribution in this province.

But the fact remains that for them even to think of getting rid of a riding like Ottawa East is something that is alarming. I say,

Mr. Speaker, imagine what would have occurred had it not been for the interest shown by the constituents in that area—the interest shown by the Franco-Ontarians generally across this province.

I ask the members here to imagine, for instance, what would happen if a commission went into Quebec and went into Mount Royal, which is known as one of the English-speaking ridings, and split it up among so many neighbouring ridings. Suppose all the English-speaking people who had been in a majority situation became a minority within the French-speaking ridings in that area. Just imagine what would happen; there would be war down there. But this is, in fact, what they were suggesting here.

I'm not saying that there was any malice, or that this was done with intent, but that this was even suggested in this province, Mr. Speaker, gives you some indication that unfortunately the commission apparently did not have sufficient background, or at least did not study the provincial ridings in depth to make adequate recommendations or alternative proposals or sufficient redistributions. So this went on.

I cite Ottawa East and I'm extremely grateful, Mr. Speaker, to the members of the commission and I want to put on the record now that the reason that the changes were made was due in large measure to the overall participation of citizens in that area, of citizens generally in the Ottawa area who saw what they were doing was clearly a mistake.

But I want to say of the members of the commission, and I want to say more specifically of Mr. McCool, who co-operated with me all summer long, that they were extremely receptive and that steps were taken to alter some of these factors here. I'm told by my colleagues on both sides of the House that, in fact, the commission was prepared to discuss and McCool was an individual who was open to discuss alternative proposals.

Of course, it has been mentioned by other members that it's going to be impossible to satisfy everyone in this House when it comes to the question of redistribution. But I do want to put on the record, Mr. Speaker, that never again should we allow a commission to be set up that, first of all, would be so unrepresentative; and second, that it would not have public hearings. I think it is important that there be public hearings when we are going to make major changes. Third, I still feel, Mr. Speaker, that the balance of rural urban ridings is not fair. I cite as an example the three ridings in the Ottawa area, which are in fact the three largest ridings in the province. I look at the ridings of—

An hon. member: Outside of Metro.

Mr. Roy: Outside of Metro Toronto and outside of the one riding in Sault Ste Marie. I look at these three ridings and note that Ottawa Centre under redistribution will have 75,000 people, Ottawa East will have 76,000 and Ottawa Rideau will have 76,000. Mr. Speaker, when you compare these three ridings, for instance, with the urban ridings of London, clearly the average population is much higher and I say to the members of the commission that I think that the Ottawa area could have used one more seat if we were to be fair. I'm not suggesting that they are not fair, but if we were to be objective and if we were to give representation which has some equilibrium across the province, I'm suggesting that in the Ottawa area we could have used one more seat, Mr. Speaker.

In closing I do want to put on the record, Mr. Speaker, the co-operation received from all citizens' groups in my riding. I think there were some 46 alternative recommendations which were made to the commission by various groups, by the Franco-Ontarian Association, and by citizens individually. It was their interest and their enthusiasm I suggest, Mr. Speaker, which convinced the commission that it had to keep a riding—in fact it was the oldest riding, the only urban riding which had a French-speaking majority. Right away when the problem was raised, when the issue was raised, it became clear to the commissioners that they did make a mistake and that they could not afford to let the situation rest as it had originally been proposed.

Now, Mr. Speaker, I think I should take this opportunity to say a few words in French relating to the riding of Ottawa East and reflecting the majority of the people in that riding.

Je voudrais dire simplement, M. l'Orateur, que si on a réusi à changer les comtés, si on a réussi à sauvegarder ce comté d'Ottawa Est, qui est, M. l'Orateur, le comté le plus vieux de la région qui est d'ailleurs le seul comté urbain qui a une majorité francophone. Et si on a réussi, nous, les francophones ontariens, à garder ce comté-là, c'est dû largement à l'enthousiasme et aux initiatives de tous les gens de ce comté, des associations comme l'Association Franco-Ontarienne d'Ontario, et des associations des

Je mentionnerai, M. l'Orateur, qu'immédiatement après que la proposition a été citoyens du comté.

faite au mois de septembre ou au mois d'août l'année passée, la réaction des gens du comté a été immédiate, que ceux-ci n'ont pas accepté, que la réaction a été telle qu'ils ne pouvaient pas croire qu'une commission faisait de telles recommandations, qu'on enlevait aux Franco-Ontariens le seul comté urbain dans lequel ils étaient majoritaires. Alors ça a été un champ de bataille, un cri à la guerre vraiment, où les gens du comté se sont réunis, où ils ont pris des mesures pour réagir contre une telle recommandation de la commission. Et ensemble on a réussi à convaincre les membres de la commission. Et je vous ai déjà dit, M. l'Orateur, que la commission d'après moi n'était pas mesquine, que la commission n'a pas fait ça d'une façon délibérée. Mais c'était parce que la commission manquait dans son arrangement, manquait certaines representations comme un francontarien sur cette commission-là.

Mr. Reid: D'accord, d'accord.

Mr. Roy: D'accord. I think I should send him to service a few of his constituents, Mr. Speaker. In any event je disais, M. l'Orateur, avant d'ébu interrompu par mon collègue de Rainy River je disais tout simplement que—

Mr. Reid: Rainy River.

Mr. Roy: Rainy River. Je disais que les gens—

Mr. Speaker: For your information, just ignore the member for Rainy River because he is not in his seat.

Mr. Roy: Thank you, Mr. Speaker, I appreciate that.

I was saying very simply, Mr. Speaker, je disais, M. l'Orateur, que dans ces circonstances-là la commission malheureusement a agi d'une façon ignorante parce qu'elle n'était pas au courant de la situation qui existe dans la région d'Ottawa. Mais dû à l'initiative de tous les gens de cette communauté, de tous les Franco-Ontariens, on a réussi à convaincre la commission qu'il était nécessaire de garder le comté d'Ottwa Est. Et ensemble, M. l'Orateur, on a réussi à convaincre le commission que ça valait la peine de garder le seul comté Franco-Ontarien, c'est-à-dire le seul comté urbain ayant une majorité Franco-ontarienne. Et alors j'espère, M. l'Orateur, que jamais on n'aura l'occasion de voir une commission faire encore une telle erreur.

In closing, Mr. Speaker, may I say that I am deeply indebted to the commission, even though I have some criticism, and I think I have been as harsh as anyone in criticizing the commission. I want to repeat this, never did I accuse the commission with intent or with malice of attempting to what was called gerrymandering. I have accused the commission of ignorance, in the sense that it did not have sufficient input before it made major decisions. But I do want to say to the members of the commission that the people in the riding of Ottawa East and Franco-Ontarians generally felt that they received adequate sympathy and adequate receptiveness from this commission.

I say in closing, Mr. Speaker, that it is impossible for this type of commission to satisfy everyone, but as far as I am concerned, as far as the riding of Ottawa East is concerned, I am deeply indebted to the commission.

An hon. member: They ought to be.

Mr. Speaker: The hon. member for Haldimand-Norfolk.

Mr. J. N. Allan (Haldimand-Norfolk): Mr. Speaker, I should like to say first of all that I think this debate has been well worthwhile. I might add that I sympathize with the commission in the task that they had; it was a difficult one. I have no doubt that they undertook their responsibilities in a responsible way. Although the results are not all that we could have hoped for, I am sure that they did it with the thought that they were doing as good a job as was possible.

As a former speaker said this afternoon, the length of my remarks will not be indicative of any lack of sincerity in what I am going to say, because I am hopeful that I can keep my remarks brief enough that the commission will read them.

Mr. R. F. Nixon: They'll read them.

Mr. Allan: I wish to state also that in some respects I cannot agree with all the remarks of all the other speakers, particularly with the remarks of the member for York South (Mr. MacDonald) last evening when he emphasized particularly population figures. I lean more toward the preservation of community interests, of traditional boundaries, of endeavouring to set up constituencies wherein the people will be able to work together and will have a mutual interest. With that as a background, I shall limit my remarks to the effect of the changes on the riding of Haldimand-Norfolk.

Now, they could be divided into two

changes. In the first, four municipalities were deleted from the riding of Haldimand-Norfolk – the townships of Charlotteville, North Walsingham, South Walsingham and the village of Port Rowan. These were added to the constituency which is now Brant-Norfolk. Is it Brant-Norfolk?

Mr. R. F. Nixon: That's right.

Mr. Allan: Two former municipalities in the region of Haldimand-Norfolk, which previously had been in the constituency of Brant, were added to Haldimand-Norfolk. Now, as far as those two constituencies are concerned, they do have the same community interest as the town of Simcoe and the four municipalities that I have mentioned. They are very fine people.

Mr. R. F. Nixon: Right.

Mr. Allan: If they were added to the constituency of Haldimand-Norfolk, I know that the present constituents of that riding would welcome them with open arms. However, I think I might just spend a moment in giving you a little of the history of that part of Norfolk county.

In 1800, Governor Simcoe named the village of Charlotteville as the capital of the London district; that is, down along Lake Erie. A few years later, in 1815 I think, he arranged to have the capital moved from Charlotteville to the village of Vittoria. That was the capital until 1825 when–

Mr. R. F. Nixon: That was before the time of the present member, wasn't it?

Mr. Allan: That was before I was the member.

Mr. J. R. Smith (Hamilton Mountain): Long before.

Mr. Allan: And then it was moved to London. The people of Norfolk county have never forgotten that theirs is an historic county and the bonds that exist between those townships, the town of Simcoe and the westerly part of the county of Haldimand, are extremely strong bonds. We have one advantage in that area; we have always got along with our neighbours very nicely. The relations are good between that part of Norfolk and the riding of Brant that has been represented by a member of the Nixon family since time immemorial, and we really haven't objected to that very much. It has been well represented.

However, when these changes were proposed, the residents of these municipalities made representations to me which I did pass along to the commission. There were many representations by groups of citizens and by certain members of council. I place a great deal of emphasis in this instance on the community of interest that exists in this area. I think it is worthwhile.

We hear a great deal of criticism at times of elections that citizens generally do not take as much interest in elections as they should. We have always had interest in elections. These people have worked together for very, very many years and they want to continue to work together. I may say to the hon. member for Kitchener that I thought when he was speaking last night of the proposals that were made by an individual who was entirely independent in his thinking, I should think–Mr. Barclay, was it?–

Interjection by an hon. member.

Mr. Allan: –that Mr. Barclay decided, thinking independently, that the riding that I suggested to the commission might be maintained, and which wasn't, was a reasonable solution to the situation. I quite agree with Mr. Barclay. I thought the member's report of what he had decided upon was an excellent one and showed a good deal of thought.

So, Mr. Speaker, I would like to submit to you now that the situation I have outlined does conform to the terms of reference, and these have been read today before: "That, for the purpose of the distribution the commission shall take into account community or diversity of interests"–this is the first item and I would think one of the most important–"means of communication, topographical features, population trends, the varying conditions and requirements regarding representation as between urban and rural electoral districts" and so on. In this connection, I may say that the mix in this particular riding is satisfactory. I support the leaving of the lines as they were, with or without the addition of the former township of Townsend and the village of Waterford.

In my view–and I speak for the constituents, I do not speak for myself; I speak for the constituents who have made representations to me in this connection–the riding of Haldimand-Norfolk as it did exist is reasonable so far as population is concerned and it does fulfil the terms of reference as set out in the motion. With this in mind, I hope that the commission will reconsider the proposal and that it will do as we have

requested. As the present member for Brant (Mr. R. F. Nixon) has suggested, that is a reasonable solution to the situation. Thank you.

Mr. Speaker: The hon. member for Sandwich-Riverside, followed by the hon. member for Waterloo North and then the hon. member for Brantford (Mr. Beckett).

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, Windsor has now been divided into three equal, easily described and neat ridings, which could be called Windsor West, Windsor Central and Windsor East, but which would much better be called Windsor-Sandwich, Windsor-Walkerville and Windsor-Riverside. It might seem that there is nothing to be said, therefore, except to congratulate the commission. However, I should like to make a few comments.

I am speaking on this resolution rather than on the previous resolution because I wish to draw attention primarily to just one guideline or criterion set down for the commission and largely ignored in the city of Windsor, namely guideline (g), that "the commission shall take into account [among other things], the existing and traditional boundaries of electoral districts."

Inasmuch as the provincial riding boundaries have changed so often in the Windsor area, there are really no such things as traditional boundaries. Therefore, for practical purposes the commission was instructed by the Legislature on Dec. 5, 1973, to take into account existing boundaries; that is, the boundaries of the present ridings, where feasible. This guideline was ignored in Windsor as far as the two proposed ridings of Windsor-Walkerville and Windsor-Riverside are concerned.

The present member for Windsor-Walkerville for many years, about 15 or so, has represented wards 1, 2 and 3 and a slice of ward 4. Since 1967 the part of Windsor that I have represented comprises wards 6 and 7 and a section of ward 8. If the commission had followed its instructions to try to maintain the present ridings, Windsor-Riverside would consist of the same area that I have represented inside the city of Windsor for the past 7½ years, namely wards 6, 7 and a slice of 8. And Windsor-Walkerville would consist, as before, of wards 1, 2, 3 and part of 4. The populations of these two ridings would be approximately equal; if not today, certainly in a very short time. Nevertheless, the commission switched ward 1 from Windsor-Walkerville to Windsor-Riverside in exchange for a large part of ward 7, and the 10 or 12 polls in ward 8, which had been in the riding that I represented.

In failing to maintain the integrity of the riding of Windsor-Walkerville and what is to become Windsor-Riverside, the commission also ignored the Legislature's instructions that the commission shall take into account . . . (d) population trends . . . and (f) existing boundaries of municipalities or wards."

In establishing the new ridings of Windsor-Walkerville and Windsor-Riverside, the commission actually ignored three guidelines it was told to follow. As far as these two ridings are concerned, the commission or its experts, its consultants or its staff simply disobeyed the instructions given by the Legislature. I am drawing the attention of the Legislature to this ignoring or disobeying of its instructions.

It may be that the commission was unaware of the population trends in wards 6 and 7. Almost anyone in Windsor could have informed the commission had he been asked, that these two wards are the areas in which the population explosion is taking place. For your convenience, Mr. Speaker, let us assume that after the next election the present member of the present Windsor-Walkerville is re-elected to represent the new Windsor-Riverside. Should this be the case, the citizens of ward 1, whom the member has represented for about 15 years, or 16 years—

Mr. B. Newman (Windsor-Walkerville): Eight years. That was added in 1967.

Mr. Burr: Ward 1?

Hon. Mr. Winkler: Don't fight, fellows.

Mr. Burr: Thank you for the correction. Should this be the case, the citizens of ward 1, whom he has represented for the past 7½ years, would become my constituents and the citizens of ward 7, who live west of the Chesapeake and Ohio railway, whom I have represented since October, 1967, would become his constituents. About 10 polls in ward 8 would similarly pass from my constituency to his.

It may be said that this does not inconvenience anyone and that little harm is done. This may be so, although it would mean that each MPP would have to take over from the other many cases that are partially solved, for example, Workmen's Compensation Board cases. Those constituents who have frequent problems, and all members have the chronic problem, will have to readjust to their new member and relate their whole case histories

all over again. The point I am making, however, is that the commission ignored the guideline that it was given, that is, criterion (g), and for no apparent reason and to the advantage apparently of nobody in particular.

I should like to recommend to the commission that these areas be switched back in line with the Legislature's instructions. Actually I have no strong feelings on this matter, but if criterion (g), that is, that present ridings be changed as little as possible, is a valid one, it should be followed, unless there are other more important considerations. As I have said, Mr. Speaker, I have no strong feelings on this matter personally, but I can think of many of my constituents who will now have to be serviced by a different member who will have to spend many, many hours becoming acquainted with their individual case histories and the circumstances peculiar to themselves. Of course, if Windsor-Walkerville and Windsor-Riverside do not re-elect us, then all of our constituents will have new members who will have to become familiar with their problems. In that case, there is no continuity of membership and the principle of maintaining present riding areas loses its validity.

One criterion that any electoral boundaries commission should disregard in a redistribution. is the location of the residence of incumbent members. As far as our area is concerned, the commission certainly ignored the location of the residences of the sitting members. In my case, it so happens that in the first map issued in June my residence was included in Windsor West. According to the second map, my home has been included in Windsor-Walkerville, and if the commission had followed the criterion of maintaining existing ridings then it would have been in Windsor-Riverside.

These remarks, Mr. Speaker, are made in the hope that they will be of some small help to a future Legislature and a future commission. In short, first, the consideration of population trends, if a valid criterion; second, the maintaining of riding boundaries, if a valid criterion; and, third, the maintaining of ward boundaries, if a valid criterion, should be observed more carefully by future commissions. If not valid, they should be left out of the instructions by future Legislatures. Thank you, Mr. Speaker.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Mr. Speaker, I think it is obvious to all that if there were no shifting populations, and if there were no increases in population, redistribution would not be necessary. Because of the latter, Waterloo county, now Waterloo region, was one of the fastest growing areas in the province. It was obvious that some adjustment had to be made to the existing conntituency boundaries in Waterloo region.

Traditionally, Waterloo county had been served by two ridings, Waterloo South and Waterloo North. In the 1966 redistribution this had to be changed to three ridings because of the increase in population. With that distribution, which is presently in effect, it was found that the member for Kitchener and myself were representing two ridings which were among the largest 12 of the 117 in the province. It became quite obvious to everyone in the Waterloo region that, because of the tremendous population growths, there would have to be some adjustments and we thought the natural thing would be an additional riding.

However, the commission in its first report had seen fit to take four of the seven area governments in Waterloo region and distribute them among three other ridings which went almost from Lake Erie up to Georgian Bay. The regional government, the area governments, and the sitting members, along with the Chambers of Commerce, made representation to the commission and explained the necessity of retaining a community of interest within the region. Instead of giving away four area governments the logical solution would be to add an additional fourth riding.

Fortunately, the preliminary plan had used up only 123 of the allotted 125 seats, so along with an additional riding in the Niagara region, the 125th riding was added in the Waterloo region, so that now we have four ridings divided along the area government boundaries which, Mr. Speaker, is a most satisfactory solution to the problem which did exist before concerning the size of our ridings.

There are just two things, Mr. Speaker, that I would ask the commission to consider. These matters have to do with the names of the ridings. Certainly Waterloo South riding will now be known as Cambridge, which represents the majority of that particular area of the region.

Regarding the present riding of Waterloo North—while it will be considerably reduced in size and become more manageable, the proposal is that the name be changed to Waterloo. Using the name "Waterloo" would

be representative of the city of Waterloo, but would ignore the fact that the two northern townships of the region, Wellesley and Woolwich, would be part of that riding. So I would ask that the commission give consideration to retaining the present historical name of Waterloo North for the riding, which will consist of the city of Waterloo and the two northern townships within the region.

The other suggestion was made that recognition be given to the township of Wilmot which is joining part of the city of Kitchener under this redistribution. That riding could very well be called Kitchener-Wilmot rather than Kitchener South.

These two comments, Mr. Speaker, are my contribution to this debate.

Mr. Speaker: The hon. member for Durham.

Mr. A. Carruthers (Durham): Mr. Speaker, I appreciate very much the opportunity of participating in this discussion. It would seem to me, after all these speeches, that the impression is that the commission didn't do a very satisfactory job.

Mr. Ferrier: What else is new?

Mr. Carruthers: I wish to differ to a degree. While I have a couple of points which I wish to raise, I do wish to express my appreciation to the commission for at least complying with one of my recommendations, and that was to have the township of Cavan transferred from the township of Victoria to the township of Peterborough, where it is municipally and where logically it should be placed.

I do wish to point out, Mr. Speaker, that a great number of changes have taken place in what were the historic two ridings of Northumberland and Durham, which have been twin counties for over 100 years. Their ties were broken as a result of the restructuring of government with the development of the new regional boundaries. I have to admit that the boundaries of the new riding of East Durham are based logically on the boundaries of the new region. Had the original proposal of the government been followed to include the eastern portion of Durham county in the region, then no doubt the present riding of Durham would have been maintained.

It also happens that we have had a restructuring of the county on a municipal basis, with the town of Port Hope and the township of Hope going into the county of Northumberland, the township of Cavan to the county of Peterborough, the township of Manvers to the county of Victoria and now the township of Cartwright to the township of Scugog, which will now become part of the new riding of North Durham.

I was speaking to a number of people and I tried to explain the changes that have taken place. They said, "Forget about it. It is so confusing we just can't understand it." It is confusing, and it is always true that people do resent change. There has been a degree of resistance to change in that area, I think perhaps to a major extent because of the long, traditional ties and historical ties which have been maintained over the years.

I have to admit, Mr. Speaker, that the town of Port Hope and the township of Hope logically belong in the riding of Northumberland now. Because of the changes that have taken place, Port Hope is oriented to Cobourg and Cobourg to Port Hope. The same applies in the north. Because of the physical features of the area, the township of Cavan is oriented to the city of Peterborough and the township of Manvers is oriented to the town of Lindsay and to Victoria county. Similarly the township of Cartwright is oriented to the west to Port Perry and to Oshawa.

The one problem that I see that is developing, and it has been mentioned here this evening, is the fact that in the new riding of East Durham the population will be concentrated to a major degree to the western part of the riding and will create an imbalance of population among the city of Oshawa, the town of Bowmanville, the former township of Darlington and the township of Clarke, which is largely a rural area and should be maintained largely as a rural area throughout the years. The whole objective of regional government in the area was to maintain that greenbelt. That has been lost, and I regret it.

It does mean that I've had to reconsider my position as a member because I live at least seven to eight miles east of the eastern boundaries of the new riding of East Durham. With the major population concentrated at the west end, with some 34,000 people from the northeast portion of Oshawa added to the riding, then for the sake of the riding in order to provide a service to the people of that riding a member should be located or resident in that part of the riding. Therefore, to do justice to the riding, I've had to reconsider my position. I feel that the member should come from that part of the riding. I have no doubt he will.

I do wish to emphasize those two things. I regret very much that the historic boundaries have had to be realigned. I regret that the population will be concentrated in the western part of the riding. This will create problems in days ahead. Because of Oshawa with 34,000 people added from that city—fine people—the town of Bowmanville, which has grown now from 8,000 and is heading for 15,000, and the township of Darlington with over 10,000 people, that's where the population is. I'm approximately 30 miles away from it as a member, which makes it very difficult as far as I'm concerned personally.

But that is not the real problem; that is not our concern. The concern is that the riding be properly represented in the days ahead. And I want to make sure that that is the case.

Mr. Ferrier: Isn't he going to run again?

Mr. Good: The people will decide that.

Mr. Carruthers: Yes, the people will decide it all right, no question about that. I'll do my best to see that they decide it in the proper manner—

Mr. Roy: Yes, elect a Liberal.

Mr. Carruthers: —so that we can ensure for them a good future, both politically and economically, because they do live in one of the finest parts of the Province of Ontario.

Mr. E. J. Bounsall (Windsor West): Couldn't be better.

Mr. Roy: It will get better after we run—

Mr. Carruthers: I just cannot agree on public hearings. It's very obvious to me, and I'm sure to all the members, that to have public hearings for this type of a redistribution is completely out of the question. Just imagine if we had a public hearing in Oshawa and another public hearing in Bowmanville in the eastern part of the riding. There would be so much controversy and so much confusion that the members of that commission would just throw up their hands and resign. It is just impossible.

Mr. Ferrier: Is he trying to pour oil on troubled waters?

Mr. Carruthers: Certainly the people of the area have a right to express their opinions and make representation. And they do that through their member. They do it through their municipal councils. But to call public meetings—you know I'm getting just a little bit tired of participatory democracy.

Mr. Bullbrook: Is he?

Mr. Carruthers: Yes, I can see how much it's abused.

Mr. Ferrier: He was the chairman of two select committees, now he is getting tired of it.

Mr. Carruthers: No, that's not the same thing at all. We do appreciate representation from the public, but when you call public meetings, you will have a group who have one objective in mind when they come to that meeting. They'll get the publicity and they'll make their point. They'll put their point forward in very strong terms. The vast majority of the people don't—perhaps it's because of indifference. But after all, they are a thinking group, just as much as the group who attend those meetings. So, I say that any consideration of a public hearing is just out of the question.

It has been mentioned many times here this evening that there is a great difference between representing an urban riding and a rural riding. I know it well, and the nearer you are to the seat of government, the more difficult it becomes. If there was an occasion in Port Hope tonight, they'd expect me to be there because I am within commuting distance of that town.

Mr. Roy: He should be, yes.

Mr. Carruthers: Right—but this is so true. I find it very difficult to perform my legislative duties as a legislator of this province and at the same time to serve the people as they should be served. The problems of government are becoming more complex; I think we all appreciate that.

Mr. Ferrier: The government shouldn't have so many problems.

Mr. Carruthers: The problems are becoming more complex; it's becoming more difficult. The member for Cochrane South doesn't need to worry. He is a long distance from his riding. He communicates by telephone or by letter. He doesn't have that same problem. But if he lived within 60 miles of the city of Toronto he would be expected to be at all the functions and make representation.

Those are my few remarks, Mr. Speaker, and again I have to admit that I can't put forward too strong an argument. But I do say this: If we are going to reconsider the ridings for which representation was made here this evening, then I suggest to the com-

mission and request the commission to give further consideration to that very historic riding of Durham.

Mr. Speaker: The hon. member for York-Forest Hill.

Hon. R. Welch (Minister of Culture and Recreation): What is the name of that riding?

Mr. P. G. Givens (York-Forest Hill): That's right—what is the name of that riding?

Mr. Speaker, so many nice things have been said about the commission that I hesitate to introduce this dissident note. It has been said that the commission is impartial and unpolitical and acted with integrity and that they acted in accordance with the structures and the guidelines that were set up for them by the Legislature. But I am afraid that in my case the commission took the strictures and the guidelines that were laid down for them and they just threw them away and they made a special project of me and my riding.

Hon. Mr. Welch: Those guidelines were given to the member.

Mr. Givens: My guidelines, Mr. Speaker, through you to the new Attorney General—

Mr. Roy: No, the old one.

Mr. Givens: You know I have so much trouble keeping track of where he pops up in his various—

Mr. Breithaupt: Like a shooting gallery.

Mr. Roy: What is it, eight in eight years?

Mr. Givens: What is it, his eighth job this year?

Hon. Mr. Welch: When the wastepaper basket gets full—

Mr. Givens: But I like the minister. I want him to hear this. As a man of justice, I want him to hear my plea and to tell me whether he thinks justice was done in this case.

Take these guidelines where the commission was supposed to follow the strictures of existing and traditional boundaries—they were supposed to abide by the concept of community of interest and the identity of a community and ethnic homogeneity. In the case of my riding, in the case of York-Forest Hill, they took these guidelines and they complete threw them by the board. They took the riding and they split it in three. And they scattered it to the four winds.

The Premier (Mr. Davis) has come to the defence of the commission and has said that there was no gerrymandering; they didn't act out of malevolence; they didn't act out of political motivation. Well, they might just as well have acted out of political motivation for what resulted as far as the redistribution of my riding is concerned. Because if you are to have Phil Givens to kick around in this chamber any more, you are not going to have him from York-Forest Hill or any part thereof. I am simply going to have to find myself a new riding somewhere so that I can come back here so that you can have Phil Givens—

Mr. Roy: And that we'll do.

Mr. Reid: How about Brampton?

Mr. Givens: They went ahead and they forgot about this business of existing and traditional boundaries. The village of Forest Hill has been a political entity for many many years, going back as you will remember to Fred Gardiner, the noted Conservative who was the first chairman of the Metropolitan corporation. He was one of the first reeves of the village of Forest Hill. It had an identity. It had a community of interest. And they took it and they split it in two. And they took the lower village which centres around Upper Canada College—to the west thereof, to the north thereof—which was substantially middle class, and in many respects even aristocratic, and they piled it on top, like a 20-storey building and they put it into the riding of the hon. member for St. Andrew-St. Patrick (Mr. Grossman)—

Mr. F. Young (Yorkview): Made him safe, that's all.

Mr. Givens: —and they made it good and safe for him—if there was ever a guy who didn't need a safe riding. They made it safe for the Provincial Secretary for Resources Development. They made it real safe for him. At the same time this isn't gerrymandering. They piled this thing on top of him like the Bank of Commerce building, but out of the middle of the structure, they removed the Annex district.

Mr. C. E. McIlveen (Oshawa): The member is going to have to go back to Trudeau.

Mr. Givens: The member for St. David (Mrs. Scrivener) will know what I am talking about there. From Avenue Rd. over to Spa-

dina and from Bloor St. up to the railway, up to Davenport. If you turn it upside down, it's like a camel's hump and they removed that whole side. Look at this. I can't show this to the Hansard reporter. They piled the lower village from my riding on top of his riding here and it took this whole section out of the side from here. Now, if this isn't called camel-back gerrymaking, I would like to know what is.

Mr. McIlveen: Back to Trudeau for him.

Mr. Givens: And this is an independent commission. What has the aristocratic lower half of the village of Forest Hill, which they took away from me in common with the polyglot ethnic composition of the lower part of St. Andrews-St. George, and the part in which the hon. member for Ottawa Centre lives—the Island? The community of interest that that part of the lower village has with the part where Mr. Cassidy lives, I'll never understand.

Mr. Young: Not any more.

Mr. Givens: I beg your pardon?

Mr. Young: Not any more.

Mr. Givens: So he lived there before.

Mr. Roy: Where is he living now?

Mr. Givens: But what community of interest this lower part of Forest Hill village has with the lower part of St. Andrews-St. George, I will never understand.

Then they took the upper village which again is middle class, professional, business and they shoved it sideways, easterly into the riding of Eglinton—the hon. member for Eglinton (Mr. Reilly) isn't here at the moment—and what connection, what ethnic identity and whatever community of interest the upper part of Forest Hill village had with the riding of Eglinton, I will never understand. If they had taken the whole of Forest Hill village and said: "Okay, this has a community of interest. It has existing traditional boundaries and identity of interest," and coupled it with other parts of the city—and said: "It now belongs to the city of Toronto so it has to be a city riding"—if they had coupled that with parts of Eglinton riding and parts of St. George and parts of St. David and said: "This is a new city riding," that I could understand. But to split it in three and scatter it to the four winds and say that in that way they have given it an identity of interest, then I don't understand.

Then they took what was left to the west, the portion of Cedarvale and York township, and they combined it with the portion that belongs to the hon. member for York South and they now call that Oakwood. And that part of the riding which now remains in that area which will be called Oakwood has changed completely in complexion, in its nature, ethnically, sociologically, politically, socially and in every other way. It completely changed the demography of the whole area, and they call this good redistribution.

I don't understand how they were functioning. If they were supposed to be functioning along the lines of existing and traditional boundaries then I don't know how they did it. When I complained about it before, people said: "Well, you are talking like a crybaby. After all, you are popular. You are the former mayor of Toronto. You can run anywhere and get elected," and maybe that's true. It remains to be seen. I will have to find myself a new riding and start from scratch all over again.

Of course, the redistribution over the whole province wasn't done just to please me. It was done to please the vast majority of people and to please the Legislature, and I suppose if the vast majority of members here in the Legislature are happy, then this is the thing that has to be accomplished. But I stand here, Mr. Speaker, with a very, very sad heart, because it simply means that after a career of 25 years in public life I simply have to start from scratch all over again and I am not very happy about it.

I think I have achieved one distinction over 25 years—and I think that and 20 cents entitles me to a cup of coffee—and that is that I think I am the only Canadian who can say that I have been the mayor of a big city who has served at all four levels of government. I suppose I can pass that on as some kind of legacy to my children—if I don't get caught in some kind of land deal sooner or later—as a legacy of honour, namely that I was the mayor of a big city, having been an alderman, a controller and a mayor, that I participated in the metropolitan experiment—which is no longer an experiment but a fact of life—right up to the executive level, having been a member of the federal government, having had my differences with the Prime Minister there and now serving in the provincial Legislature. So I suppose I can look back on a career with some excitement and some adventure and some pleasure. I would like to continue to stay here but they

have left me with no alternative and I have no riding at this point in time.

Mr. McIlveen: Bye, bye.

Mr. Givens: Well, don't say goodbye yet. The way those guys are operating now, we on this side have a pretty good chance of coming back in large numbers. And we will be back.

Mr. R. D. Kennedy (Peel South): Au revoir.

Mr. Roy: Don't count your luck; he will go and get the member's seat.

Interjections by hon. members.

Mr. Givens: I just thought I would say my piece. I tell you quite frankly, Mr. Speaker, before sitting down, that I am disappointed in what the commission has done with respect to the riding of York-Forest Hill, because from the letters I received from my constituents they feel let down. They feel that the idenity and the integrity of their area was not maintained. They feel that they have an ethos and that they have a community of interest which was not maintained. They feel that they were sold down the river. They feel that they've been scattered to the four winds. All that has been done, as far as they're concerned is that they've been scattered all over the place. They've lost the identity that they had for over a century; that is completely gone. It is too bad that it had to be done in this way, because that identity could have been preserved; but it wasn't preserved.

We tried, by communications and in other ways, to indicate to them that this was a mistake; but apparently the pressures that were exerted on them were of a nature that they felt they had to do this. Unfortunately, I find myself in the position today where York-Forest Hill is no longer there, the village of Forest Hill has gone and this community of interest has gone. Perhaps, in the long run, it will be for the greater interests that this was done. I don't know; I don't think so. But it's a sad day for me to have to get up today, on behalf of the old riding of York-Forest Hill, to kiss you all goodbye and say thank you very much, it was nice knowing you as a representative of York-Forest Hill.

Mr. Speaker: May I state that the hon. members for Peel South, York Mills and Hamilton Mountain will speak in that order.

Mr. Kennedy: Mr. Speaker, I am pleased to have an opportunity to join in this discussion from the standpoint of those in the southern part of Peel county.

I think we would express general satisfaction with the work the commission has done. There's just no question that it is a tough job because, after receiving their first report, we went over figures and boundaries and lines and moved them north, south, east and west and variations thereof, and it stood most of the tests.

The fact is that there are in the order of more than 200,000 people—perhaps closer to a quarter of a million—residing there now. So change, as much as it tugs one's heart a bit, is inevitable. The change in Peel is perhaps the most major feature of the whole proposal. We go from two ridings to four, or 4½ if we count the Albion and Caledon areas, which are proposed and designated to go with Peel-Dufferin-Wellington.

An hon. member: They'll have great members, though.

Mr. Kennedy: Yes, they'll have great members. Apart from that, though, there are four distinct new ridings where there were two. Now, I would commend the commissioners insofar as our area is concerned. I know it was a difficult assignment, and we think they did a good job. But we made representations on two counts.

One was because in the original division there was a line along the Queen Elizabeth Way from west to east that came almost to Etobicoke and then, for some undiscernible reason, jogged down a street known as Ogden Ave. to the CNR tracks and then east to the Etobicoke River. This line divided a historical community of interest. Both sides of Ogden were served by the same school and had the same sports programmes.

It just didn't seem reasonable, so we met with a couple of ratepayer groups; in fact, there were representatives from several ratepayer groups, South Applewood, Vic Mattiussi and Gary Smith from Orchard Heights and several others. They agreed that there was no understanding of it. My own association felt the same way. We presented a brief, including that portion of the report, and we made the suggestion that they run the line right down the Queen Elizabeth Way and put everything south of that into a riding which was designated then as Mississauga South.

The second change was somewhat similar. Along Burnhamthorpe Rd. was the north boundary of what was designated Mississauga East; but north of Burnhamthorpe Rd. is a

developing North Dixie part that joins in with the Glen Forest area, and certainly there is and will be, as it develops, a community of interest there. The current Peel boundary is Eglinton Ave. North of Eglinton Ave. it is industrial and there is Highway 401 and into the airport. So there is either industry or open country. It seemed a good idea that this line be moved north. Those two suggestions were put forward to the commission as we had opportunity to do.

A second suggestion which was made was that Highway 10 north might be a better boundary because the remaining riding in Mississauga extended from north of the Queen Elizabeth, west of Highway 10, Sheridan Homelands, and sections east as far as Highway 10, north through Erin Mills, Streetsville, and circled around and took in Malton. There seemed to be quite a disparity of interest in that setup, but the fact is that other than Sheridan Homelands and the portion south of Dundas highway, this is part of the existing Peel North.

When one took those figures and examined them it didn't seem to be warranted that that change could be made at this time because Malton has a population of some 30,000. It appeared to us that it lent itself not to further division now but subsequently. It set a good base for a division line of perhaps Highway 10 east-west, and possibly in future a line through Meadowvale or south on Eglinton. This would fall into place the next time around.

Mr. Speaker, the commission accepted the two relatively minor but yet important representations and suggestions we made. On that basis, we are happy, knowing that in the future there obviously will be further change. The population projections for all of Mississauga show upward of 700,000 or 750,000. If technology and communications don't change the numbers we now work with, we could have six or eight or even 10 ridings within the confines of Mississauga.

I regret the loss of Peel, which has 108 years of history, tradition and an identity that I think is known, and I hope known favourably, throughout Ontario. The Peel name will be perpetuated as the region is named Peel. Perhaps the portion in the Caledon area in the north—Caledon, Albion and Bolton—if the proposal goes forth in that area, that it be incorporated with Dufferin-Wellington, could incorporate and retain that as an entity here in the Legislature. I don't know.

I say I have certain regrets. I regret leaving some very fine people. I guess it really isn't leaving them because I would like them all to think with the rapport that has been established that my interest can't help but be the same for them and, in fact, for people across Ontario, because even though we draw lines here and there and have designated areas, we still are known as their representatives in the Legislature. There is a certain sentimentality and I have an appreciation for the member for York-Forest Hill. I don't know how far back that riding goes but I think it touches each of us.

My purpose tonight in speaking briefly is to record that the commission did accept very seriously and genuinely our relatively minor but important changes, insofar as we think, about maintaining community interest. The only part that didn't receive commission attention was the suggestion that we might do something in what is now proposed as Mississauga North but, as I say, I believe that can be appropriately dealt with in the next redistribution. Mr. Speaker, I'm pleased to have had an opportunity to put these few remarks on the record.

Mr. Lawlor: In the year 2000.

Mr. Speaker: The member for York Mills.

Mr. D. A. Bales (York Mills): Mr. Speaker, when there are 117 members in the House we're all experts as to how to redistribute our own ridings, so I had great sympathy with the commission as they undertook their difficult task. I don't know them all personally, but nevertheless I think they've done a good job, taking into account the difficult task they had before them.

Last evening the member for York South attributed to the riding of York Mills 130,000 people according to the 1971 census. He was pretty accurate, actually; in fact, the figure I've been given is 166,728. Obviously the riding I represent, York Mills, should be redistributed. Perhaps I would do it a little differently than they have proposed, and I've made representations to them, but I think their second proposal is vastly improved over the first one. Nevertheless, there's still room for change.

The provincial riding of York Mills was a part of the provincial riding of York East since Confederation; and the traditional western boundary of that riding, which originally extended from Yonge St. to the Pickering town line, has been Yonge St. By and large, that has been maintained for the new riding of York Mills, and I'm grateful for that. I don't think we should hold to specific

boundaries for any particular purpose; the main thing is that the people within those areas should be properly servied in this Legislature.

I have represented the riding of York Mills since it was created prior to the 1963 election, and I have seen the voting population increase from 44,000 in 1963 to 69,000 in 1967 to just about 100,000 voters in 1971; and while the census population in 1971 was 166,000, I think there is very close to 190,000 people within that riding today.

It is now to be divided into two entirely new ridings, one maintaining the name of York Mills and the other proposed to be named Oriole, of which I greatly approve. Both ridings have approximately 75,000 people, according to the 1971 census figures, although the riding of York Mills actually has added a substantial number since that time.

In the period between 1963 and 1975 the character of the area has changed substantially. It was largely a rural farming area in the 1950s; then, of course, due to the spread of Metropolitan Toronto into that section it has now become almost entirely urban.

As for the naming of the ridings, the commission initially proposed that the easterly riding be called Fairview. There is nothing wrong with that name, I suppose. There's a large shopping centre within that particular area, but personally I do not concur in naming constituencies for shopping centres.

Mr. Reid: Right.

Mr. Bales: The name Oriole has historic and actual validity in that area. It is the community centred along the east branch of the river Don, which flows through that particular riding. In the centre-south part they have allocated an area with a population of about 7,500 to the riding of Don Mills; and that is a wise move, because the part allocated is two of the quadrants of the original community of Don Mills begun in the 1950s.

My only real regret in the present proposal for redistribution is the northwest corner of the present York Mills riding; the old area of Newtonbrook, with a population, I see, of about 8,700, has been allocated to the riding of Armourdale. I'm sure that the member for Armourdale (Mr. Carton) will care for those people as I have endeavoured to, but nevertheless there have been many very close connections between that Newtonbrook section and my own family through a long period of time.

In not any boastful way, I'm one of those very fortunate people in that I and my forebears have lived in this particular riding throughout the last 100 years. You come too know its people, its history, its background,, you see it develop; and for that reason I have very close connections with it. I regret to see it being divided in any way at all, but nevertheless, for the better service to the people of that community, I think it is wise that it should be redistributed at this time.

I would say that during the last three or four years, and particularly when I served in the cabinet, I could not have served the vast number of people in the constituency without the assistance of my constituency office maintained there, helping me handle a great deal of the work within that area. They are fine people, all of them. They have been most loyal to me throughout my tenure over the last 12 years, and I hope that in the future I shall be able to serve them as well as in the past.

So, Mr. Speaker, I simply conclude by saying that the commission had a difficult task and it's perfectly natural that they would not satisfy all of us, or even any of us, but nevertheless I think they have done their job well and they should be commended for it. Thank you.

Mr. Speaker: So that the members will know the list of speakers, I have six on the list: The member for Hamilton Mountain, the member for Glengarry (Mr. Villeneuve), the member for Grey South (Mr. Winkler), the member for Essex-Kent (Mr. Ruston), the member for Wellington South (Mr. Worton) and the member for Huron-Bruce. We will now have the member for Hamilton Mountain.

Mr. J. R. Smith: Mr. Speaker, I would like to take this opportunity to commend the hon. members of the redistribution commission for the manner in which they have dealt with the two reports as regards the city of Hamilton and the county of Wentworth. I was certainly very pleased to see that on both reports the commissioners have recommended that the present constituency of Hamilton Mountain's geographical boundaries remained intact.

I think this is very wise, inasmuch as the original community of Hamilton Mountain grew up along the brow area of the city nearest to the Wentworth St. incline and the upper James St. railway incline. It subsequently has spread out farther to the south, to Mohawk Rd. The residential community is compact and almost totally developed, with a strong sense of community interests.

Mr. Speaker, in the original report of the commission it was recommended that the town of Grimsby, in the county of Lincoln, be put in with the riding of Wentworth. I'm very pleased to see that that matter has been changed and now the riding of Wentworth is strictly what it says, comprising the area of Winona, Stoney Creek, Saltfleet and that area of the city of Hamilton south of Mohawk Rd. and Mount Hope.

Indeed, perhaps at the next redistribution there could well be a new seat which would be called South Mount—that area south of Mowhawk Rd. and the Wentworth-Haldimand county line. This is the area that is rapidly being developed with homes and other forms of development.

Similarly, the Saltfleet satellite city to the south will some day create a tremendous increase in population in the riding of Wentworth. I can envisage a new constituency in the next 10 years in this very fast-growing region.

Mr. Speaker, with the removal of Grimsby from the riding of Wentworth, that particular seat is now the smallest numerically by voters of the Hamilton-Wentworth seats.

I would hope that the members of the commission will review the figures and the proposals as set forth by my hon. colleague, the member for Wentworth North. The member suggested that Wentworth North was already a compact and manageable riding. I think it would be well to leave that area south of Mohawk Rd. and west of upper James St. in the riding of Wentworth.

As I mentioned, some day that area could very ideally comprise a new riding known as South Mount, with Hamilton Mountain to the north. This is a growing area and I also see it some day as a new ward for the city of Hamilton and its political boundaries. The Mountain already has three wards; but the area south of Mohawk is really a new community, not bearing too much connection with that to the north.

And so I feel that those 20,000 electors should really be left with the riding of Wentworth so that some day they could very easily form a new constituency with the other areas of the city of Hamilton lying south of Mohawk.

Mr. Speaker, there has been a great deal of interest in this whole debate. I was particularly interested in the remarks of several of the members from northern Ontario. Although I am a southerner, I have a great deal of appreciation for the difficulties that the northern members must have in trying to cover their vast geographical areas.

I was rather disappointed that the redistribution of the northern seats was not included. One thing I would like to see some day in this province is a community of interest for our native people, particularly those living in the northwestern part of the province—that vast area known as the northern Ontario wilderness from James Bay west to the Manitoba border. Some day that perhaps might form its own constituency in which the native people would have the majority population.

Just as the hon. member for Ottawa East is very adamant and keen to see that Franco-Ontarions maintain their constituencies, that one geographic area and its substantial native population might some day also have an opportunity to be represented here.

Mr. Speaker: The hon. member for Halton West.

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, I won't be too long. However, I would like to start off, as the other hon. members have done, and compliment the commission and the efforts of the three gentlemen who made up the commission: Mr. Justice Campbell Grant, Roderick Lewis and J. Robert Sampson. They have, after much agonizing and hard work, I'm sure, produced a report that seems acceptable for the most part to the majority of the members of this House.

Halton county, Mr. Speaker, now the regional municipality of Halton—that great success story of municipal reform and restructuring—has, as the hon. members know, two provincial ridings, Halton East and Halton West. The two ridings were established in the 1967 election and were pretty well evenly divided, particularly on a population basis, although Halton West has a bit more land area. Halton West includes all of the town of Burlington, the township of Nassagaweya, the town of Acton and the northern part of Esquesing. The balance of the county made up the riding of Halton East, and that includes that tiny principality of Hornby which, as the hon. members know, has some of the finest agricultural land in the province.

The present population of the region is about 210,000 and the commission proposes that there be an additional riding added to the region; that there be, in fact, three new ridings, which will be named Burlington, Halton and Oakville. The proposed new Burlington riding will only, in fact, be the southern part of the city with the eastern

boundary along the present city of Burlington and town of Oakville boundary; then along that eastern boundary to the Queen Elizabeth Way, then to Highway 403 following Kerns Rd. to the escarpment and then westerly along the base of the escarpment, including all of the territory known as Aldershot around to the bay.

Thus you will see, Mr. Speaker, that the greatest area of the city of Burlington will, in fact, be outside the proposed riding of Burlington. The largest part of the city will be in the new riding of Halton. The riding name Burlington, therefore, is a misnomer, and I am sure this will tend to confuse a great many people. Possibly it should be called South Burlington or Burlington South. This, however, also may tend to confuse people, because they will be looking for Burlington North. However, I will leave that particular problem with the learned commission to ponder and to solve.

The approximate population of the proposed Burlington riding will be about 75,000 people, Oakville will have about 65,000, and Halton about the same. You will see, therefore, Mr. Speaker, that as far as population is concerned it pretty well meets the criteria of the commission.

However, there have been objections and opposition to the proposed boundaries affecting the city of Burlington. Naturally, I would make most of my comments because of the radical change in the riding as it affects that city. Formal objections have been made by the Burlington Chamber of Commerce, the city of Burlington and the regional council. The proposals made by these three bodies are about the same, and these are suggestions that there be an additional riding there, four ridings in the region, the ridings to consist of North Halton riding, consisting of the towns of Halton Hills and Milton; Oakville riding, to consist of the town of Oakville; Burlington East riding, to consist of that part of Burlington east of the Guelph Line; and Burlington West riding, to consist of that part of Burlington west of the Guelph Line.

You will see, Mr. Speaker, that these proposals, which are quite similar, suggest that all of the city of Burlington be in either Burlington East or Burlington West. The main argument for this proposal is first of all that based on the growth rate of the city for the past 10 years and projections of population growth for the future, two ridings for the city are warranted. For example, it has been put to me that in 1978 the population for Burlington West will be 70,000 people and in the same year the population of Burlington East could be about 57,000 people; again population figures which meet the criteria of the commission. The total city at that time, it is projected, would have a population of about 127,000 people.

Another reason, Mr. Speaker, is the fact that the industrial community, the heart or the core of the new city, is being split up by the present proposal of the commission, that is that part of the commercial and industrial area of the present city will be in the new Halton riding and part in the proposed Burlington riding.

This will confuse people. A man in some commercial enterprise or industry will wonder whether or not he should be talking to the member for Burlington or the member for Halton. I suppose the safest way would be to have the both of us there, I don't know. In any event this tends to confuse people and I think demoralizes, probably, the people who are interested in maintaining some type of cohesive unit for that very prosperous and fast growing community.

This is one of the reasons the Chamber of Commerce has shown such an interest in the proposal, in the whole matter of redistribution, and is suggesting the four ridings I have outlined.

I have also indicated to the commission that if they don't feel four ridings are warranted within the region, there should just be three ridings, that the northern boundary of the proposed riding of Burlington be extended to about Highway 5, which would include most of the industrial and commercial core or community of the city of Burlington.

I make these suggestions, with respect, Mr. Speaker, to the commission: That they consider the problem of the name, as I have indicated; the fact that there is a projected growth, based on past growth, which may very well make their proposals of 1975 redundant in three or four years; and the question of dividing, one might say, a community of this kind as far as its urban core is concerned, its industrial heart, the commercial heart, in two by the proposal, as has been suggested by the three bodies, of having a Burlington East and Burlington West riding.

The names are accurate and do include, as I say, the boundaries of the present city. Thank you.

Mr. Speaker: The member for Brantford.

Mr. R. B. Beckett (Brantford): Mr. Speaker, I take pleasure in joining in this debate in order that I may bring, through your office to the boundary commission, the

concerns of the township council of the township of Brantford and my own concern. I believe the terms of reference for the boundary commission indicated that community of interest and means of communication should be considered. I would like to suggest to you, sir, in this particular case where the city of Brantford is entirely surrounded by the township of Brantford these two features of community of interest and means of communication have not received the stress they might in the report that is before us.

The city is surrounded by the township, as I said previously, approximately two-thirds of the perimeter of the city contains subdivisions, and the inhabitants of those subdivisions are persons who work or are educated in the city. I suggest to you, sir, that there is a very strong community of interest there.

The recommended riding would only be the city of Brantford with a population of 64,421, and there has been a statement made to the effect that the addition of the township would make too large an area. I would suggest to you, sir, that there are several examples of larger ridings; there are three in the city of Ottawa with more than 75,000 each, and Sault Ste. Marie has more than 80,000. The combined population of the city and the township of Brantford, if they were contained as one riding, would be around 74,000.

The township of Brantford has passed a resolution requesting that it should remain within the present riding, and I take pleasure in bringing this resolution to the attention of the commission. I hope that the commission, if they have an opportunity to study the matters again, will bear in mind the community of interest between the township of Brantford and the city of Brantford as well as the peculiar circumstances of the one being completely surrounded by the other and the fact that their population could fall within some of the decisions made with regard to other boundaries. Thank you, Mr. Speaker.

Mr. Speaker: The member for Glengarry.

Mr. O. F. Villeneuve (Glengarry): Mr. Speaker, I rise to speak because the boundaries of my riding are somewhat changed. I can understand that, since I represent a rural riding. Our population is not increasing; therefore, adjustments have to be made. I am not critical of the commission. I realize they had a very tough assignment. As far as our area is concerned, I realize it hasn't pleased everybody.

I do know that Dundas has had a very close relationship with the county of Grenville for many years. Now it will form part and parcel of Stormont, Dundas and Glengarry. But I can understand the commission would naturally follow the united counties guidelines since these three counties have been in existence as a united counties government for more than 132 years. One can understand that this would be the direction they would pretty much follow.

I did have the honour of serving portions of Prescott county for 26 years, both in the federal House and here, and I am sorry to see some of it added to Prescott and Russell. Again, I realize that Prescott and Russell are united counties and have been in existence for more than 100 years. But they have left one township, East Hawkesbury, with around 2,500 or 2,600 in total, with Stormont, Dundas and Glengarry. I wasn't made aware of this until just over the weekend, when I received this letter which I would like to read into the record. It is addressed to me:

Dear Mr. Villeneuve:

We are appealing to you to assist us concerning the following matter. We, the members of the township council of East Hawkesbury in the county of Prescott, do hereby protest the boundary lines as drawn up by the Ontario committee on electoral district structure. The counties of Stormont, Dundas and Glengarry have been, for over 100 years, united counties, with Cornwall as the county seat. East Hawkesbury township is a distance of five miles from L'Orignal, which is the county seat for the counties of Prescott and Russell. Cornwall is a distance of 60 miles or more from our area. The large majority of the residents of East Hawkesbury township are in constant contact, in all lines of business, with the town of Hawkesbury and L'Orignal, the county seat of Prescott and Russell, where there are two hospitals, a number of good doctors and lawyers, and the registry office for our area.

Therefore this council would respectfully request that the committee redefine the boundary lines and place the township of East Hawkesbury where it rightfully belongs, with Prescott and Russell electoral district, and in particular since West Hawkesbury township and the town of Vankleek Hill have been placed back in that area.

May we also add, without prejudice, that some 80 per cent of the population of East Hawkesbury is French-speaking and

would therefore be more at ease to continue to deal with officials of the services concerned. It is our wish that all due consideration be given our request and wish to thank you for your anticipated favourable decision.

Mr. Speaker, I would suggest that the township of Cornwall, from the fourth concession north, is all rural. It has a council of its own, separate from the city of Cornwall. It blends itself in with the structure of Stormont, Dundas and Glengarry. The population they would take from the township of Cornwall would offset what East Hawkesbury in total is. In fairness and in justice to them, if I lived there, I could understand it, because we could very well have a representative in the Legislature who could live in Dundas county and be 85 miles away from these people. There could be, to some extent, a language problem. In fairness to them I can understand their point of view.

M. l'Orateur, je voudrais dire seulement quelques mots en français. J'ai eu l'honneur de représenter la commune de Hawkesbury Est pendant 26 années. Dans cette nouvelle Circonscription électorale, ils auront qu'une voix au niveau du comté. C'est-à-dire qu'ils se trouvent comme une seule municipalité entourée par les comtés unis de Stormont, Dundas et Glengarry.

Alors, quant aux problèmes qui se présentent à ces gens-là, il me parait qu'il ne serait que raisonable et correct qu'ils pouvaient s'approcher de leur conseil départemental, qui devrait être Prescott et Russell, où ils peuvent parler dans leur langue maternelle pour exprimer leurs besoins.

Mr. Speaker, I have had occasion, in this particular township, to meet with the reeve and the council, and had to make an appointment with the Minister of Transportation and Communications (Mr. Rhodes) because tile drainage is becoming more prevalent in our area. They were confronted with having to lower 11 township crossings to drain farmland, and original construction did not take into consideration the levels necessary in order to drain that land.

Now, these are problems that we are confronted with personally. I am not arguing about numbers in urban areas or rural areas, but there are individuals who have their life savings tied up in farms who must ask their council to intercede and the council in turn puts pressure on the member of the Legislature, whoever he may be, in order to see if consideration can be had so as to make this accommodation possible. As it was, they had spent the road appropriation for the year but the minister, being a very considerate gentleman, managed to send them home satisfied that they would make the necessary remedial crossings possible so as to drain this farmland. This is one of the problems that this township could possibly have.

In fairness to them, I can understand that Hawkesbury and L'Orignal being close by could present their problems. In all likelihood they have to go to the member for Prescott and Russell (Mr. Belanger) anyway because of the fact he's so much closer. In fairness, I would make that request to add the rural portion of the township of Cornwall from the third or fourth concession, whatever it may be, which is all agricultural area in the three counties, and put East Hawkesbury at their request in with Prescott and Russell.

It's a problem somewhat the same as the hon. member has in Ottawa East. I think the adjustments made there were fair and just. It's an urban area. Prescott and Russell happens to be a rural area, but this area in particular is along the Quebec border and the Ottawa River. If they request that, I would recommend that they receive this consideration.

Mr. Root moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Mr. Speaker, we will proceed with this debate on Thursday, followed by consideration of Bill 179 and Bill 176, not necessarily in that order, but those two bills will be called subsequently.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Tuesday, January 28, 1975

On notice of motion No. 2 re electoral boundaries, Mr. Stewart, Mr. Reid, Mr. Ewen, Mr. Roy, Mr. Allan, Mr. Burr, Mr. Good, Mr. Carruthers, Mr. Givens, Mr. Kennedy, Mr. Bales, Mr. J. R. Smith, Mr. Kerr, Mr. Beckett, Mr. Villeneuve 6983

Motion to adjourn debate, Mr. Root, agreed to 7008

Motion to adjourn, Mr. Winkler, agreed to 7008

Legislature of Ontario Debates

No. 167



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Thursday, January 30, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JANUARY 30, 1975

The House met at 2 o'clock, p.m.

Prayers.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, I'd like to take this opportunity to introduce to you, and through you to the members of this House, 35 students from Jack Miner Senior Public School in West Hill. Would you join with me in welcoming them and their teachers to the gallery?

Mr. M. Shulman (High Park): Mr. Speaker, would you join me in welcoming a group of students from Fern Avenue Public School?

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, I'd like to introduce to the hon. members 28 members of the debating society of Mohawk College and their staff member, Mrs. Stevenson.

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, I would ask the members of the House to join with me in welcoming students from Nelson High School in Burlington.

Hon. A. Grossman (Provincial Secretary for Resources Development): Mr. Speaker, we have with us today the distinguished member for the North Province in the Legislative Council of Western Ontario who is visiting our province for the purpose of studying all the services available to its citizens.

Mr. M. Cassidy (Ottawa Centre): Western Ontario? What is this—separatism?

Hon. Mr. Grossman: What did I say?

An hon. member: Western Ontario.

Hon. Mr. Grossman: Western Australia!

Mr. Cassidy: You know, the Liberals are strong there.

Hon. Mr. Grossman: Of course, the members for western Ontario here are distinguished members as well.

An hon. member: Indeed, they are.

Hon. Mr. Grossman: I'm sure the hon. members would like to join me in welcoming the Hon. William Robert Withers who is seated, sir, in your gallery.

Mr. V. M. Singer (Downsview): Mr. Speaker, I'm sure the hon. members would like to join with me in welcoming to your gallery up there one A. B. R. Lawrence whom many of us used to know around here.

Mr. R. F. Nixon (Leader of the Opposition): Some of us still do.

Mr. Speaker: The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Would that he were still here, Mr. Speaker.

Mr. Speaker, I rise on a point of personal privilege. Last Tuesday during question period the Premier (Mr. Davis) and I had an exchange on the Shouldice affair. In the course of his reply the Premier said, and I quote from Hansard: "If the leader of the New Democratic Party has certain information that I have not available to me, fine. If he would communicate this to me, etc. . . ."

In direct response to the Premier's request, I would like to provide further information in the form of additional Ross Shouldice correspondence. My colleagues from the Sudbury area received the material on Tuesday. I saw it that evening. This, then, is the first specific opportunity I have had to pass it on to the Premier.

On the basis of these letters, Mr. Speaker, I make no accusations or charges whatsoever, nor draw any conclusions; except perhaps save one: that a provincial inquiry into the affairs and activities of Ross Shouldice is still merited.

In the next little while, before the orders of the day although not until the Premier has had a chance to peruse the letters, I shall table the correspondence and circulate it accordingly.

Mr. Speaker: I'm not sure that is a point of personal privilege. It seems to me there are no personal privileges abrogated by the action, but the member has made his point.

Statements by the ministry.

ONTARIO LOTTERY

Hon. R. Welch (Minister of Culture and Recreation): Mr. Speaker, later today I will introduce legislation to establish the Ontario Lottery Corp. as a Crown agency to develop and manage a provincial lottery in Ontario. In creating a Crown corporation to manage this lottery we are taking advantage of the experience of other jurisdictions.

The net proceeds from the lottery will be used by the government to support programmes for physical fitness, sports, recreation and culture in Ontario. The corporation will determine the price of tickets, sales arrangements, size of the prizes and frequency of the draws.

On the basis of experience elsewhere, we expect that sales could reach $100 million within the next couple of years. After the return of about 40 per cent of that in prizes and the payment of operational expenses and sales commissions of about 20 per cent, we expect between $40 million and $50 million to be available for physical fitness, sports, recreation and cultural programmes.

To achieve these financial objectives and to ensure that we retain as much as possible of the proceeds for public use, we intend, among other things, to keep the corporation small in order to hold down overhead costs, and we anticipate a distribution and sales operation similar to that employed by the Olympic lottery.

We would not want our lottery, of course, to adversely affect the sales of Olympic lottery tickets in the province. We have had extensive discussions about this with Olympic lottery officials and we have been encouraged by them to move ahead with our plans for the Ontario lottery.

The question of provincial lotteries has attracted widespread interest in Ontario since federal legislation was amended in 1970 to permit them. Members of the House, Mr. Speaker, will recall that a provincial lottery was the subject of a thorough debate during the private members' hour on Dec. 16 last. It was clear from the support of participants in that debate and from facts and figures compiled by the Ministry of Consumer and Commercial Relations, that there is wide public support for lotteries in the province.

Residents of this province have already bought more than $40 million worth of tickets for the Olympic lottery and we have estimates that another $40 million is spent annually in the province on the Irish Sweepstakes and other large provincial and state-run lotteries.

Many social, cultural, religious and charitable organizations in the province have also made lotteries a source of funds for their important work. These will continue, of course, under the supervision of the Ministry of Consumer and Commercial Relations and I am satisfied that the provincial lottery will not interfere with their efforts.

Research based on experience in other jurisdictions has shown that local lotteries are identified with local activities and have their own special attraction and participation. A province-wide lottery, therefore, will not compete directly with them. In fact, Mr. Speaker, I think the Ontario lottery could provide a new source of revenue for many non-profit groups which may wish to become sales agents and sell tickets directly to the public on a commission basis. Additional revenue from this provincial lottery will be used to enhance even further the new impetus this government intends to give to a whole range of activities which will benefit all of the people of the province.

The establishment of the new Ministry of Culture and Recreation reflects the high priority this government assigns to the promotion of physical fitness, sports, recreation and cultural activities of all kinds. The lottery revenues will be used to further stimulate these programmes above and beyond the considerable expenditure that the government is already making in these areas. So we intend to move quickly on this matter and we ask for the co-operation of the House in dealing expeditiously with this legislation.

GIFT TAX ACT

Hon. W. D. McKeough (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, since the coming into force on Jan. 1, 1972, of the Ontario Gift Tax Act, absolute gifts between spouses have been completely freed from tax. In his recent budget of Nov. 18, 1974, the federal Minister of Finance proposed that taxpayers be allowed to contribute toward registered retirement savings plans for the benefit of their spouses, the amount of such contribution being deductible in computing the taxpayer's income. The government of Ontario views this change in policy as both sound in its encouragement of savings and as an improvement in equity.

Because registered retirement savings plans are a form of trust, contributions on behalf of a spouse would be taxable under the Gift Tax Act. In order to further facilitate transfers between spouses, I intend to propose to the Legislature that the Gift Tax Act be amended

to exempt from gift tax, payments made to spouses through a registered retirement savings plan. This change—and I don't anticipate it will come in for several weeks, until such time as we have seen the federal legislation—will be retroactive to the 1974 and subsequent taxation years.

Mr. Speaker: Oral questions. The hon. Leader of the Opposition.

FIRE SAFETY ON LICENSED PREMISES

Mr. R. F. Nixon: Mr. Speaker, I'd like to put a question to the Solicitor General, having to do with the verdict of the inquest held in Paris, Ont., following the death of five people in a fire in a hotel in that community. Is he prepared to make a statement of government policy which will bring some order into the present serious disarray in the fire inspection and enforcement procedures that come under at least three ministers of the Crown, but largely the Solicitor General? Has he examined the recommendations of the inquest, or those resulting from the statement by the jury, and is he prepared to recommend to his colleague, the Minister of Consumer and Commercial Relations (Mr. Handleman), who is responsible for the Liquor Licence Board, that once and for all we stop using the threat of withdrawal of liquor licences as the main tool to enforce fire inspection improvement?

Hon. Mr. Kerr: Yes, Mr. Speaker, I've had an opportunity to read the coroner's verdict in respect of that inquest. I basically agree with its recommendations. The Hotel Fire Safety Act has been enforced by inspectors of the Liquor Control Board. For the most part, those inspections have been carried out properly. There has been no misunderstanding as far as the fire marshal's office is concerned. That responsibility was given to liquor inspectors. However, there is an anomaly and I agree that it's divided among at least three ministries. I hope to meet with my other two colleagues and make some changes.

FIRE SAFETY ON LICENSED PREMISES

Mr. R. F. Nixon: I have a question to put to the Minister of Consumer and Commercial Relations regarding the same matter: Since the fire marshal was in the habit of accepting the recommendations and reports from local fire inspections and passing them directly on to the Liquor Licence Board, has he had conversations with the chairman of that board toward shoring up this impossible situation until the government is prepared to correct it by means of legislation?

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): Mr. Speaker, yes, I have had discussions with the chairman of the Liquor Licence Board. I think we appreciate that he has been put in a very difficult situation in that his inspectors are delegated by law and by the fire marshal, and that the only licensing authority he has is with regard to the licensed premises.

The chairman of the board has no authority to do other than close down the licensed premises, except on the authority of the fire marshal, so there is an anomaly here. I will be discussing this with my colleague, the Solicitor General, but in the meantime the chairman of the board has issued orders to those who have been non-compliant that they must conform to the fire marshal's orders by a particular date, and at that time he will review their licence applications.

Mr. R. F. Nixon: Supplementary: Since the order from the chairman of the board evidently came forward after he was subpoenaed to appear before the inquest, or just immediately before, has he discussed with the chairman and the other members of the board the conduct of their responsibilities during those many months and years when work orders were not enforced and were in abeyance as much as four years, which resulted in the New Royal Hotel being very much a death trap resulting in the demise of five residents?

Hon. Mr. Handleman: Since the chairman appeared at the inquest, I have discussed with him his responsibilities under the Act and those which have been delegated to his inspectors under the Act. We hope to find a way of meeting the jury's recommendations in very short order. However, there will have to be legislation to put those recommendation into effect.

Mr. Lewis: Supplementary, if I may: Given the incident that led to the inquest, is the minister satisfied in his own mind that the chairman of the board behaved appropriately in dealing with the responsibilities he now has under the legislation?

Hon. Mr. Handleman: Mr. Speaker, I am satisfied the chairman of the board acted responsibly. I am also satisfied that the inspectors carried out their responsibilities as well as they were equipped to do. I quite readily admit that there is a defect in the

present system of inspection and that that defect will be repaired as quickly as possible.

Mr. R. F. Nixon: Supplementary: Would the minister then make clear where he feels the responsibility lies, which allowed the New Royal Hotel, an 80-year-old building, to continue its business without an operating fire alarm system and subject to unfulfilled work orders of long standing, which resulted in the death of five residents? Who is to blame?

Hon. Mr. Handleman: Mr. Speaker, I am not about to cast blame in a situation like this. I would like to review the jury recommendations. They have attributed responsibility in certain areas. As I say, I will be discussing it with my colleague so that we can clarify the responsibilities for enforcement of the Act into one agency.

Mr. Speaker: Any further questions by the Leader of the Opposition?

SOBERMAN REPORT

Mr. R. F. Nixon: Yes, I would like to ask the Premier for his comments in response to a statement made by the Minister of Transportation and Communications. Or, perhaps, if the Speaker will permit me, I would like to ask the Minister of Transportation and Communications if he is correctly reported as having said that in his view the so-called Spadina ditch should be paved as an arterial road to Eglinton? Is that correctly attributed to the minister?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I have said, having had an opportunity to look at the report of Mr. Soberman and his recommendation that there be paving in the existing Spadina corridor to the four-lane arterial capacity, that I felt this had some merit and that I would be prepared to recommend that to my colleagues in cabinet.

Mr. Lewis: Good Lord!

Mr. R. F. Nixon: A question of the Premier: What does he think of that?

An hon. member: Yes, that's a good question.

Mr. J. R. Breithaupt (Kitchener): Is that government policy?

Hon. W. G. Davis (Premier): Well, Mr. Speaker, I think that—

Mr. R. F. Nixon: It isn't going to change the Premier's position.

Mr. Speaker: Order, please.

Hon. Mr. Rhodes: What is the official opposition's position?

Mr. R. F. Nixon: That it be paved up to Eglinton. That is precisely what we have been telling the minister and his predecessors.

Hon. Mr. Davis: Oh, no it's not.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. Premier is attempting to answer the question.

Hon. Mr. Davis: Mr. Speaker, I think that Mr. Soberman's recommendations have to be looked at in their total context.

Mr. R. F. Nixon: This will be good. Everybody listen to him beat around the bush now.

Hon. Mr. Davis: We're always prepared to look at the recommendations from the minister, and I would say, just from a general observation, that Mr. Soberman's recommendations are a very substantial improvement on the very ambivalent and inconsistent position taken by the Liberal Party across the House.

Mr. R. F. Nixon: Ours isn't changed, but apparently the Premier's is.

Mr. Speaker: The hon. member for Scarborough West, a supplementary.

Mr. Lewis: Is this recommendation by the minister, which is a stunning reversal of everything the Premier stood for in 1971, everything he stood for in 1971—

Mr. Singer: That is not what the Premier says. He said it was consistent.

Mr. Speaker: Your question?

Mr. Lewis: —is this acceptable to him as the Premier who made the stop-Spadina statement, as the Transit Man of the Year award winner? Is this now acceptable to him?

Mr. J. A. Renwick (Riverdale): Man of the year!

Mr. Singer: Come now, Mr. Transit Man.

Mr. Breithaupt: He's going to get another award.

Mr. Singer: Tell us, Mr. Transit Man.

Mr. Speaker: Order, please. Order, please.

Hon. Mr. Davis: Mr. Speaker, I would only answer to the leader of the New Democratic Party that—

Mr. W. Hodgson (York North): The member for Downsview was deputy leader two or three years ago.

Mr. Singer: I remember.

Hon. Mr. Davis: —I have not myself studied Mr. Soberman's report, but I think it's quite obvious that the government will be studying it, and we will be assessing the recommendations from our colleague.

Mr. Speaker: Any further questions? The Leader of the Opposition.

Mr. Lewis: Is that a repudiation of the Premier's colleague?

Hon. Mr. Davis: No.

Mr. Singer: Where do we go now, Mr. Transit Man?

Mr. Lewis: What follows from that?

Mr. P. G. Givens (York-Forest Hill): Is he going to give back the medal?

Mr. Speaker: Order, please. It is the Leader of the Opposition's turn to ask a question.

Mr. Lewis: With respect, we are just resurrecting Spadina.

Mr. Speaker: I am resurrecting the Leader of the Opposition. Order please.

Mr. Lewis: The one decision of value.

Mr. Speaker: Will the hon. member take his seat? Will the hon. member take his seat?

Mr. E. M. Havrot (Timiskaming): Oh, sit down, jungle mouth!

Mr. J. F. Foulds (Port Arthur): Very portentous.

Mr. R. F. Nixon: We don't want him thrown out because it's going to get better later in the day.

Mr. Lewis: Is that another "gutteral" sound from the member for Timiskaming across the way?

Mr. R. F. Ruston (Essex-Kent): Is that the member's maiden speech?

Mr. R. F. Nixon: I have a question of the Minister of Education—

Mr. P. D. Lawlor (Lakeshore): Is the Premier reversing everything, piece by piece? The election is getting closer.

Mr. Speaker: Order, please. The hon. Leader of the Opposition.

THUNDER BAY TEACHERS' DISPUTE

Mr. R. F. Nixon: —I want to ask the Minister of Education for a report in the situation involving the continuing strike of secondary school teachers in Thunder Bay. The minister is aware that the teachers there were working to rule, so called, during September; that they had a rotating strike during November, and have withdrawn their services, all but 30 of them, until this time. Is the minister aware that because of the semester system, a number of students have effectively lost a half year there? Is he satisfied with the four attempts at mediation? And can he indicate to the House that the ceilings that he has imposed on the spending programme of that board are in no way interfering with the settlement?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I can tell my friend very definitely the spending ceilings are not interfering with that settlement.

Mr. R. F. Nixon: Why does the board say otherwise?

Hon. Mr. Wells: I don't know why the board says otherwise.

Mr. R. F. Nixon: Maybe it is because it's true.

Hon. Mr. Wells: It isn't true. The member read the report that our financial people went up and did quite a while ago. I just want to tell my friend there is a mediator in that situation at the present time—

Mr. Lewis: Hear, hear, a good one. An excellent mediator.

Hon. Mr. Wells: —and the mediator is a good one and he's working in a very delicate situation. Let my friend stand up now and tell me what he'd like me to do, otherwise I—

Mr. R. F. Nixon: May I ask the minister why he didn't send a good mediator up at least one of the three previous times that he undertook mediation? Does he save his good ones for when it gets serious, or what?

Hon. Mr. Wells: Every one of the mediators who have been in that situation have been good mediators. In fact, they've been excellent mediators.

Mr. Lewis: But this is an especially good one.

Hon. Mr. Wells: They are all special and they're different—

Mr. A. J. Roy (Ottawa East): That's why the results were so good.

Hon. Mr. Wells: —and at this particular time we have a very fine mediator operating in that situation, put in there by the government of this province—and being paid for as an impartial mediator—to settle that matter. I have great confidence in him.

Mr. R. F. Nixon: Can the minister indicate to the House that there is at least a chance, by putting a good mediator into that situation, we can get the schools open for next Monday?

Hon. Mr. Wells: Mr. Speaker, I've been hoping that those schools would be open a long time ago, but such has not been the case. I don't know exactly why the settlement is being held up. I don't know what the mediator is doing. I know that I have confidence in him. He's operating up there in Thunder Bay at the present time, and I want to see that dispute over just as soon as the member does.

Mr. R. F. Nixon: Good.

Hon. Mr. Wells: But we have to recognize that we have here legitimate concerns of teachers and an autonomous school board who are bargaining to get a decent settlement.

Mr. R. F. Nixon: Like North York. A supplementary, with your permission, Mr. Speaker—

Hon. Mr. Wells: In North York they wanted us to take over the school board. Now does the member want us to do that in this situation?

Interjections by hon. members.

Mr. R. F. Nixon: Supplementary, Mr. Speaker: Can the Minister of Education indicate to the House what alternatives the students in the school system there have under the semester system, with the problems that he is very much aware of?

Hon. Mr. Wells: Mr. Speaker, I understand that as soon as the schools are reopened the academic administration of that board and the teachers will be working to assist those students. All I can tell my friend is that save for some students who perhaps did not return to the schools after they opened again, the reports that I got from York indicate that there were very few ill effects from the strike.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: No, I would like to hear about Mr. Shouldice.

Mr. Speaker: The member for Scarborough West?

Mr. Lewis: I have no questions on that matter.

SOBERMAN REPORT

Mr. Lewis: May I ask the Minister of Transportation and Communications first, isn't the reversal of Krauss-Maffei enough? I mean, is it not possible for the minister to postpone a recommendation on the Spadina corridor until the possibilities of a rapid public transit alternative are viewed? Why is the minister now committing himself to Spadina or Highway 400? Why is the minister reversing that decision now?

Hon. Mr. Rhodes: Mr. Speaker, I have had an opportunity—I don't know whether the hon. member has—to have read Mr. Soberman's report.

Mr. Lewis: I don't see that the minister has to make that choice now.

Mr. Renwick: In fact he is asking for feasibility studies.

Mr. Lewis: He asks for time.

Mr. Speaker: Order please. The hon. minister is answering the question.

Mr. J. E. Bullbrook (Sarnia): Why doesn't he answer the question?

Mr. Speaker: He is trying.

Interjections by hon. members.

Mr. Speaker: Order please. The hon. minister is attempting to answer the question.

Hon. Mr. Rhodes: Having read the report, Mr. Soberman, as I read this, indicates that there are really no transit alternatives to serving the northwest part of Metro. It says that in here.

Mr. Breithaupt: Surprise, surprise.

Hon. Mr. Rhodes: The proposal that he has made, in conjunction with a total transportation proposal which includes much public transit, is to use the existing Spadina corridor for a four-lane arterial road. He also suggests, as the members know, the extension of Highway 400 as an arterial road. He says that these—

Mr. Singer: Oh really? Have we ever heard that before?

Hon. Mr. Rhodes: —can, combined with public transit facilities, relieve the problem of congestion that exists in the northwest.

Mr. Lewis: That's right.

Hon. Mr. Rhodes: He says that in the northwestern part of the city the traffic has been so congested that there is a desperate need for road improvements, and I suggest to the member that arterial routes are an improvement that I personally feel I can recommend to my colleagues as opposed to expressways in Etobicoke.

Mr. Lewis: But it is an expressway. The minister knows it is an expressway.

Hon. Mr. Rhodes: Well, it is not an expressway.

Mr. Speaker, if the hon. member opposite doesn't know the difference between a four-lane road and an expressway, I am not going to try to explain it to him.

Mr. Lewis: Come on, come on.

Mr. R. F. Nixon: That is right, there is a difference.

Interjections by hon. members.

An. hon. member: Someone's straining at gnats.

Mr. Speaker: Any further questions? Supplementary? The member for High Park.

Mr. Shulman: What is going to happen to all that traffic when it dumps on Eglinton Ave? There is no room and the minister is going to ruin Forest Hill village.

Interjections by hon. members.

Hon. Mr. Rhodes: Mr. Speaker, if the hon. members want a total review of the report we can go into that now. I would suggest that the hon. member get the report and read it.

Mr. Breithaupt: We would just like to hear what the minister's policy is.

Hon. Mr. Rhodes: Has the member read it?

An hon. member: No.

Hon. Mr. Rhodes: No? I didn't think he had.

Mr. Roy: Get the transportation man of the year to direct traffic.

Mr. Speaker: The member for Scarborough West? Supplementary? The member for Port Arthur?

Mr. Foulds: Supplementary: Is the minister aware that in northwestern Ontario around the city of Thunder Bay the Ministry of Transportation and Communications designates a two-lane highway as an expressway?

Mr. Breithaupt: It is all in the eye of the beholder.

Hon. Mr. Rhodes: Yes, Mr. Speaker; I am aware that we don't designate it as an expressway, that is what the good people up there call it.

Mr. Lewis: Is that a slur on northerners?

Hon. Mr. Rhodes: I said the good people.

Mr. Lewis: May I ask the minister a supplementary, Mr. Speaker? What recommendations is he making to his cabinet colleagues about the extension of Highway 400?

Hon. Mr. Rhodes: I will recommend to my cabinet colleagues that we take a very serious look to accept the proposal that Mr. Soberman has made in his report.

An hon. member: Oh no!

Mr. Lewis: The minister means pave Spadina—extend the 400? Where is his anti-expressway policy?

Interjections by hon. members.

Mr. Speaker: Order please. Order.

Hon. Mr. Rhodes: I am prepared to recommend to my colleagues, as I have said earlier today—

Mr. Lewis: What is happening to them over there?

Hon. Mr. Rhodes: —what Mr. Soberman has recommended in his report, that the 400 not be an expressway, but that it be a four-lane arterial route using many existing roads.

Mr. Lewis: Who is the minister fooling about with?

Hon. Mr. Rhodes: Well, the member doesn't know any better.

Mr. Shulman: Who is he kidding?

Mr. D. C. MacDonald (York South): Since Mr. Soberman, as I read the report, asked that a feasibility study be made is the minister jumping over him in the feasibility

study and making a recommendation in advance of any such report?

Hon. Mr. Rhodes: Mr. Speaker, I think perhaps I should make it very clear that what I have said here today is subject to what may be recommended to us by Metro council.

Mr. R. F. Nixon: That's point two. The minister is learning.

Hon. Mr. Rhodes: The feasibility study that the member is talking about here is the feasibility of the construction of Highway 400 as an expressway all the way down.

Interjections by hon. members.

Hon. Mr. Rhodes: As I said earlier, and I say it again, Metro council will have to recommend to us the acceptance of the Soberman report.

Interjections by hon. members.

Mr. MacDonald: The Ministry of Transportation and Communications is collapsing.

Mr. Singer: Bring Charlie MacNaughton back as a consultant and he will advise the minister again.

Mr. Speaker: A supplementary?

Mr. Givens: I'd like to ask the minister: In light of the monumental recommendations of the Soberman report, does the minister not think it's about time that he brought this House up to date and gave us a progress report on the shambles that he picked up as a result of the cancellation of the Krauss-Maffei contract and told us where he stands on that? It's about 100 days since the ministry cancelled that. Where does the minister stand on the shambles that he picked up from that debacle?

Hon. Mr. Rhodes: Mr. Speaker, I'm not sure now—"In light of the Soberman report . . ." I fail to see what the relationship is. But I can assure the hon. member—

Mr. Givens: What is the minister's answer? That was to be his answer for Highway 400 and the Spadina Expressway.

Mr. Singer: The minister doesn't see the relationship. He doesn't see anything.

Mr. Lewis: It is the disintegration of the ministry's transportation policy.

Hon. Mr. Rhodes: It's very, very difficult to answer the questions from the Liberal caucus for the simple reason that I don't know which policy I'm to follow and listen to.

Interjections by hon. members.

Mr. Lewis: The minister doesn't know.

Hon. Mr. Rhodes: I don't know whether it's from the member for York-Forest Hill, the member for Downsview or the member for St. George (Mrs. Campbell); so pick out any one you like.

Mr. Cassidy: A supplementary, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: The member for Ottawa Centre has a final supplementary on this question.

Interjections by hon. members.

Mr. Speaker: Could we have order, please, from the member for Downsview.

Mr. Singer: He's a good minister. No policy.

Mr. Speaker: Order please.

Mr. Cassidy: Can the minister explain how we are to put credence in his proposal for arterials on these particular routes when the minister personally intervened in order to turn the Don Valley extension from an arterial into an expressway! Won't that happen in these two cases as well?

Mr. Lewis: Of course it will happen, and it will kill downtown Toronto.

Mr. Speaker: Does the member for Scarborough West have further questions?

Mr. Shulman: It's 1943 all over again.

Mr. Lewis: It's disintegration.

Mr. Speaker: Does the member for Scarborough West have further questions?

NON-RETURNABLE CONTAINERS

Mr. Lewis: I have a question of the Minister of the Environment. In view of the public clamour and the pressure that is put upon him from many environmental groups, is he now prepared to expand, if not reverse, his policy on ring tops, flip tops and flip tabs and ban the non-renewables, rather than this absurd step?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, if the hon. leader of the NDP party—

Mr. Lewis: Just NDP.

Mr. Breithaupt: Or ND Party, if he wishes.

Mr. Lewis: Or ND Party. We are pretty sensitive about that.

An hon. member: NDP—"No Damn Policy."

Hon. W. Newman: Mr. Speaker, if the member for Scarborough West had only read the statement that I made in the House when I tabled the Solway task force report in December—and just to refresh his memory, when I tabled the task force's report I accepted 14 of the 16 recommendations and I also—

Mr. Lewis: Right, all the irrelevant ones.

Hon. W. Newman: Does the member want to hear what I have to say? He quite obviously didn't listen to the statement that day. Does he want to listen today?

Mr. Lewis: I do indeed.

Hon. W. Newman: Fine. I said I would be having further meetings with industry and with union people, the glass people and all of the people concerned, in the near future to discuss this whole matter.

Mr. Speaker: Are there any further questions?

Mr. R. F. Nixon: Yes, a supplementary: Is the minister giving any personal consideration, with his own staff, to the successes and also the problems experienced in jurisdictions where they have banned non-returnable glass containers? What is his finding in that regard? What frightens him away from that?

Hon. W. Newman: Mr. Speaker, there have been various routes followed in various provinces of Canada and there have been various routes followed in many states in the United States. We've looked at them all. There are several routes in various states.

Mr. R. F. Nixon: Oregon.

Hon. W. Newman: Well, Oregon is a pretty commonly known one; the deposit refund system which the member is talking about. We have other considerations in the Province of Ontario besides what they have in Oregon. We have looked at all the legislation across North America and that's one of the reasons why we will be meeting further with the industry to discuss the total situation as far as cans and bottles are concerned.

Mr. E. R. Good (Waterloo North): Supplementary: Why didn't the minister accept the recommendation that an option be given customers by making it at least compulsory that those stocking non-returnables only would also have to stock returnable containers for soft drinks? That was one of the major recommendations, short of banning them, and the minister wouldn't even accept that. Why?

Hon. W. Newman: Mr. Speaker, I've just forgotten the exact wording of the recommendation but the member has oversimplified the situation. What he is asking me now probably is, should they handle returnable bottles as well as non-returnable bottles in the store. That will be one of the things I will be discussing with the industry in the very near future.

Mr. Good: It has been five years now.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Since the minister has advised that the considerations with respect to this problem in Oregon are different from those in Ontario, can he give us the details as to what those differences are as they are viewed by the ministry?

Hon. W. Newman: Mr. Speaker, there are many differences. One is that basically they do not have to deal with the economic situation, with people and jobs and considerations that are involved, that we have in the Province of Ontario. They only have one large city in the State of Oregon. The rest of it is fairly sparsely populated. We have many different economic conditions here in the Province of Ontario from what they have in the State of Oregon.

Mr. Speaker: Any further questions from the hon. member for Scarborough West?

POLLUTION FROM NANTICOKE AREA

Mr. Lewis: I have one further question of the Minister of the Environment. What studies can he table for us to show the effects of the environmental pollution which will emanate from Nanticoke on the city of Hamilton? What environmental studies has he done?

Hon. W. Newman: Mr. Speaker, quite obviously the member has read the paper. Our people have been doing certain environmental

testing work on it. We will make sure that any industry when it is built will be built to the environmental standards that we require, which are very high.

Mr. Lewis: Supplementary; The minister will recall that Dr. David Pengally, an engineer with McMaster University, indicated that the dust particles floating from Nanticoke would almost certainly raise the levels of pollution in Hamilton. Therefore it is reasonable to ask what does the minister have by way of an environmental impact study on the Nanticoke Stelco development?

Hon. W. Newman: Mr. Speaker, any of those developments down there, any of those companies that are going in there, will have to meet our standards, which are very high as far as emission controls are concerned from those various plants. Whether the member is talking about dust emissions or various other emissions from those plants, they will have to meet our standards. One nice thing about it is, with the standards we have in place, with these new plants that are built and the controls that can be put on, I'm quite satisfied that we won't have any problems.

Mr. Speaker: The hon. member for Ottawa East.

NORTH ATLANTIC AIR FARES

Mr. Roy: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. As the minister in charge of protecting the consumer in this province, is he aware that six airlines flying North Atlantic charters have all put in identical estimates on their flights to Britain to the Canadian Transport Commission; that they have an arrangement where the lowest rate applies; and that prior to submitting the lowest rate they spent months together discussing the fare and, in fact, were price fixing? What is the minister going to do about it or what submissions is he going to put to the federal government to protect the consumers of this province?

Hon. Mr. Handleman: Mr. Speaker, yes, I am familiar with the case which was reported in the Ottawa Journal yesterday. Certainly I would think that airlines flying from Canada to Britain should be charged either under the Combines Investigation Act by the federal Minister of Justice or they should be looked at by my federal colleague, the Minister of Consumer and Corporate Affairs. On the other hand, in any case where interests of the consumers of Ontario are affected, certainly my ministry will do everything possible, and we'll be looking into that situation to see if we have any jurisdiction.

Mr. Roy: Supplementary, Mr. Speaker: Seeing that the article, I think, appeared in the Ottawa Journal of Monday or Tuesday, has the minister got in touch with his federal counterpart and put in an objection on the part of the people of Ontario that the rate that they will be paying this year is going to be somehing like $50 more than they were paying last year? Is he going to make objections to their ads which say they are getting a whale of a bargain this year? Has he got in touch with them and told them that yet?

Hon. Mr. Handleman: Mr. Speaker, due to the fact that Mr. Mackasey's department in Ottawa is so lax, I've just today been able to see Tuesday's Ottawa Journal. I will certainly be in touch with Mr. Ouellet as quickly as possible.

Mr. Speaker: The hon. member for Windsor West.

UNITED WAY AGENCIES

Mr. E. J. Bounsall (Windsor West): I have a question of the Minister of Community and Social Services, Mr. Speaker.

The minister is no doubt aware that due to the high unemployment, particularly in centres tied to the auto industry, United Way agencies are in serious financial difficulty; if not now, they soon will be. What plans is his ministry making and to what extent and when will it fund those United Way agencies which are in financial difficulties?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, I haven't had any direct representations on the matter. I am aware that they are having difficulty but if there are representations made to me, I would be pleased to meet with those officials.

Mr. Bounsall: A supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Bounsall: Is the minister saying that his ministry is not sufficiently concerned at this point to be collecting data on a province-wide basis about which areas at least, if not specific agencies, are in financial difficulty? If not, will he start collecting that data?

Hon. Mr. Brunelle: I didn't say that, Mr. Speaker. The needs are great. Every day in

our office we are getting larger demands from all sorts of agencies—family services, credit counselling and so forth. What I did say—and I would like to repeat it—is that if there are any agencies that wish to meet with me, I would be very pleased to meet with them to explore together ways that we can help them.

Mr. Speaker: The hon. member for Carleton East.

DUTIES OF MEMBER FOR LONDON SOUTH

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. I have a question of the Premier. Would the Premier tell the House what specific duties the hon. member for London South (Mr. White) has other than being chief minister in charge of Conservative Party election preparedness?

Hon. Mr. Rhodes: Don't even reply.

Mr. Havrot: Important, is it?

Mr. R. F. Nixon: It is important. It is the taxpayers' money—better than $5,000—that he is getting.

Mr. Breithaupt: It's better than a five per cent cut.

Hon. Mr. Davis: Mr. Speaker, I recognize the great urgency and—

Mr. Breithaupt: It is urgent.

An hon. member: The minister is waiting with bated breath.

Hon. Mr. Davis: —public importance of the question; and the very sincere way in which it was asked—

Mr. R. F. Nixon: People like their money to be well spent.

Hon. Mr. Davis: —and I will endeavour to exercise a degree of tolerance—

Mr. Roy: The Premier's all heart.

Hon. Mr. Davis: —recognizing the member for Carleton East hasn't had a great deal of experience.

Mr. R. F. Nixon: But he's got the support of all of us. The Premier is the only one who is not concerned.

Hon. Mr. Davis: I would only say to the hon. member for Carleton East that when he has contributed as much to the public life of this province in his capacity as a member on the other side of the House—

Mr. R. F. Nixon: Does the Premier mean this is a pension?

Hon. Mr. Davis: —as the member for London South in his years of service, then I will be more prepared to answer that question.

Interjections by hon. members.

Mr. P. Taylor: A supplementary, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: Order, please. One supplementary.

Mr. R. F. Nixon: The taxpayers are paying the campaign chairman.

Mr. Speaker: Order, please.

Hon. Mr. Davis: This is disgraceful.

An hon. member: The Conservatives are using public funds for political purposes.

Mr. P. Taylor: Mr. Speaker—

Mr. Roy: Is it a no-no?

Mr. P. Taylor: What I would like to know from the Premier—

Hon. Mr. Handleman: The member for Carleton East is the only guy who has asked for a raise.

Mr. P. Taylor: —is if it is now a matter of policy for his government to pay a member an additional $7,500 a year for past performance only?

Hon. Mr. Handleman: The member wants a raise; that's what it is.

Hon. Mr. Davis: Mr. Speaker, once again I shall endeavour to exercise restraint.

Mr. R. F. Nixon: Let the Premier take us into his confidence.

Interjections by hon. members.

Hon. Mr. Davis: The member for London South, not only as chairman of cabinet but as a minister without portfolio, will continue to contribute to the development and decision-making process of this government. He is one of the most able members of this House and of the government—

Mr. Lewis: Certainly of the government.

Mr. Cassidy: The competition isn't that great.

Hon. Mr. Davis: —and I have no reluctance whatsover in having him as a minister without portfolio at the salary that he is paid.

Interjections by hon. members.

Hon. Mr. Davis: I would only say once again to the member for Carleton East that when he has contributed as much and when he has done as much for the public of this province as the member for London South has done, then I think the question will have far greater validity.

Mr. R. F. Nixon: After all, Benoit was a creature of habit.

Mr. Lewis: Why didn't the Premier tell that to the member for London South before he resigned?

Hon. Mr. Davis: I did, I did.

Mr. Speaker: Order, please. The member for York South.

Mr. Lewis: Why didn't the Premier tell him?

Mr. Speaker: No more supplementaries.

Hon. Mr. Davis: I wanted him to stay. The members opposite should be so lucky as to have somebody like that.

Mr. Speaker: The member for York South.

ATHABASKA TAR SANDS

Mr. MacDonald: I have a question of the Treasurer in his responsibilities for intergovernmental affairs. Could the Treasurer inform the House whether or not the Province of Ontario is involved in the current negotiations to salvage Syncrude? If not, does one conclude that Ontario has lost interest in this as a source of energy supply for the future? Or are we just waiting until it collapses and we can get a better sort of arrangement?

Mr. Havrot: What would the member recommend?

Hon. Mr. McKeough: Mr. Speaker, the answer to the question from the member for York South is, yes; we are very much involved. The Minister of Energy (Mr. Timbrell) and I and our officials were in Edmonton last Friday. The Minister of Energy and I were out at the airport this morning at 6:45 to go to Ottawa and back. I would say that we are very much involved.

Mr. MacDonald: Supplementary: Is it a fair question to indicate that the Province of Ontario might be involved immediately in the restructured Syncrude?

Hon. Mr. McKeough: I think I expressed the position of the Province of Ontario in the House on several occasions in my previous capacity. I think this is the position of the government in terms of the priorities which Ontario has and which the Ontario Energy Corp. will develop. We would not have put the tar sands, in Ontario terms, near the top of the list. The amounts of money are so very large; and there is a high degree of risk. There will be in any energy investment, in terms of technology. That would not have been one of our priorities.

Nevertheless, having said that, the Premier has made it clear to his colleagues that in his view—indeed, as in our view—Syncrude is very important as a building block in energy capability in this country. It is a matter of high technology—a development of Canadian technology—for the resources that are there. In itself, Syncrude will not increase the security of supply a great deal for Canadians. It is 125,000 to 150,000 barrels a day; and we are using as a country something like two million barrels a day. But it is important that this next building block—GCOS being the first one—go ahead.

Having expressed the reservations we have, if Ontario can be of any assistance in terms of negotiations in assisting the matter along, then those are the instructions which we have from the government at the moment.

Mr. Bullbrook: By way of supplementary—

Mr. Speaker: The member for Sarnia on a supplementary.

Mr. Bullbrook: Aside from heartfelt best wishes to all those concerned, has the Treasurer or the Energy minister considered the possibility of financial assistance, which seems to be the ultimate burden that these people are suffering at the present time?

Hon. Mr. McKeough: We have considered it, yes. I wouldn't say that's the only problem. There are other problems as well.

Mr. Bullbrook: By way of one further supplementary: Could the Treasurer without disclosing undue confidences, give some idea what participation this government might

consider toward the present deficit needs of $1 billion?

Hon. Mr. McKeough: No.

Mr. Bullbrook: He can't.

Mr. Speaker: The member for Huron-Bruce.

LAND COMPENSATION

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Attorney General. Can the minister assure property owners in the Douglas Point-Bradley Junction power corridor that if they exercise their options under Hydro's new land acquisition policy, they won't be precluded from going to the Land Compensation Board?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, I cannot give that assurance, and I think I should tell why. Under the Expropriations Act—as I very sketchily understand it—there are usually two items in dispute: the necessity for the expropriation and, secondly, the compensation to be paid if the necessities prove it.

As I understand it, the legislation is such that it's only if an expropriation proceeding is undertaken and the discussions as to compensation to the landowner are in dispute, then, as of right, the parties can go to the Land Compensation Board.

Where there has been no real resistance to the expropriation—"I will agree to you taking my strip, but I want the right to have fair value"—when you get into that quasi consent situation, then I am advised that the Land Compensation Board lacks jurisdiction under the present legislation. The Robinson report on the Expropriations Act, which was filed in this House some time ago, points that out. I think it's incumbent upon my ministry to correct that legislatively, so that in these situations where the hearing of necessity has been proved and the owner in effect says, "Fine, you can take it, but I want to negotiate or have a proper price fixed," then I don't think the owner should be precluded from doing so.

That's why I say I wouldn't want anything I said in this House to be taken by the member's constituents or the people affected up there as prejudicing them, but I can tell members that right now it's our opinion that under those circumstances they might well be prejudiced and the Land Compensation Board would be lacking in jurisdiction to conduct a hearing.

I am prepared to go into this at some further length with the hon. member as to how I propose to approach this problem legislatively, Mr. Speaker.

Mr. Gaunt: Supplementary.

Mr. Speaker: One supplementary.

Mr. Gaunt: Does the minister have some ray of hope that these people will be able in some measure or in some way, whether it be through order in council, through an amendment to the Act or whatever, to be assured some method will be found whereby they would not be put in jeopardy because they exercised their options under the new Hydro land acquisition policy, which has been some while in the development stages?

Hon. Mr. Clement: Yes Mr. Speaker, I think it's incumbent upon us to assist in this type of thing. When we get into the option situation it's then removed from being an expropriation. If the members follow my former reasoning on it, it is in effect a private sale and the board lacks jurisdiction. So what I propose to recommend to my colleagues is that we amend the Act to cover this type of situation so that people, just to comply with the Act, are not forced into the whole expropriation procedure in order that somehow they can get to the Land Compensation Board; particularly when both parties would be prepared to go there on consent.

Mr. Speaker: The member for Sudbury East.

AIR POLLUTION IN SUDBURY

Mr. E. W. Martel (Sudbury East): A question of the Minister of the Environment: Has the International Nickel Co. requested and received a further postponement of the full implementation of the abatement programme which was originally scheduled to be finalized in 1978? Have they been granted an extension to 1982?

Hon. W. Newman: Mr. Speaker, not to my knowledge, but I will look into it and get back to the member.

Mr. Speaker: The member for Kitchener.

DRIVER LICENCES FOR HARD OF HEARING

Mr. Breithaupt: Mr. Speaker, a question of the Minister of Transportation and Communications: Has the minister as yet been able to make any reply with respect to the correspondence sent by the Ontario Parents Council for Deaf and Hard of Hearing concerning the driver licensing requirements that presently exist for people who have a deafness or a hardness-of-hearing problem? Are those criteria going to be reviewed, and can we expect some changes so that persons who have a hardness-of-hearing problem will be able to drive safely within the Province of Ontario?

Hon. Mr. Rhodes: Yes Mr. Speaker, I received a number of letters on this particular subject from various associations and individuals, all of which—up until this morning anyway—I had responded to.

Yes, we will be reviewing the criteria that have been laid out. We will be meeting with these people and trying to come up with just what the hon. member has suggested, a safe level where they can be licensed to operate in Ontario.

Mr. Speaker: The member for Cochrane South.

TRAIN SERVICE FOR NORTHERN ONTARIO

Mr. W. Ferrier (Cochrane South): A question of the Minister of Transportation and Communications: What consideration is his ministry giving to the request by the action group of northeastern Ontario that a rapid train be put on the route between Toronto and Kapuskasing; and is he giving consideration to the LRC train that is presently being tested out?

Hon. Mr. Rhodes: Mr. Speaker, I thought the train was proposed to run from Hearst to Toronto, not Kapuskasing.

I believe this is a matter which is being taken up with the federal Minister of Transport. Neither our ministry nor I has been involved; the request has not been made to me. It may have been made to the Ontario Northland, but I have not received any such request.

I have read of this in the paper and I understood a request had been made to the federal government to put this sort of train on either CP or CN.

Mr. Ferrier: Supplementary: In view of the fact it's to be operated primarily by the Ontario Northland, would the minister look into the matter very carefully, and could he give us some idea as to how long it might be before a decision could be made on this, as it's very important to those of us in the northeast part of the province?

Hon. Mr. Rhodes: Mr. Speaker, I will be very happy to check with the Ontario Northland Transportation Commission and find out what they have done. As I indicated earlier, I have received no information whatsoever as to where the particular request went, but I will look into it for the hon. member.

Mr. Speaker: The hon. member for Kent.

PAYMENT TO EGG PRODUCERS

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Agriculture. Is the minister aware that an egg producer in my riding informed me that he did not receive payment for his eggs from the egg dealer? Has the minister any responsibility for payment to the egg producer if the egg dealer refuses to pay for his produce?

Hon. W. A. Stewart (Minister of Agriculture and Food): I should think, Mr. Speaker, that is a question that should be more appropriately addressed to the Egg Marketing Board, and I'll endeavour to find out the answer. I must confess I didn't get the details. I'll have to get them out of Hansard.

Mr. Speaker: The hon. member for Sudbury.

CONSTRUCTION SAFETY

Mr. M. C. Germa (Sudbury): Mr. Speaker, a question of the Minister of Labour: I would ask him how he responds to the statement that Judge Beaulne made in Ottawa yesterday, that the Ontario Construction Safety Act is too lenient and should be amended to allow judges to send company directors to jail?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I didn't see that statement, nor have I had any report on it other than what was mentioned just now. How do I respond to that? Is it under consideration? Mr. Speaker, I'm not prepared to say, "Yes, I think it is," or "No, it's not."

Mr. F. Laughren (Nickel Belt): No, I guess not.

Hon. Mr. MacBeth: I will consider the statement, Mr. Speaker.

Hon. Mr. Grossman: Must be a hanging judge.

Mr. Martel: Better see the judge.

Mr. Lewis: Everything the minister does is under consideration.

Mr. Speaker: The hon. member for Nipissing.

ONTARIO LOTTERY

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a question of the provincial Treasurer. In light of the statement that was made by his colleague in regard to the establishment of a lottery, could the Treasurer tell me if this is a change in government policy, insofar as within that statement is the fact that the revenues from that government programme will not go into the general revenues fund but will be earmarked for specific programmes? Up until now it has always been the government's answer that no revenues can be earmarked for specific programmes. This is obviously a change in government policy which is taking place—

Mr. Speaker: Order, please. The question has been placed. Does the hon. minister have an answer?

Hon. Mr. McKeough: Mr. Speaker, I think when my friend looks at the bill he will see that there is no change in government policy; rather there is a strong hint.

Mr. R. S. Smith: Mr. Speaker, we can't look at the bill. We looked at the statement and obviously—

Hon. Mr. McKeough: My friend will have the bill in about two minutes.

Mr. R. S. Smith: Is this a government statement of policy or is it just something we're supposed to disregard?

Mr. Speaker: The hon. member for Ottawa Centre.

Interjections by hon. members.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. Cassidy: Thank you, Mr. Speaker. I have a question of the Minister of Industry and Tourism. In view of the fact that he mentioned Westinghouse and Canadian General Electric as two firms that might locate in the Spencerville industrial site in eastern Ontario, and since their factories are mainly appliance factories they could probably also go to cities in the industrial areas of Cornwall or Brockville or Ottawa, can the minister give more elaboration on the kinds of industries that might go to Spencerville? Are there negotiations under way with any firms, including Westinghouse or CGE?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, at the time I used the examples only. I in no way indicated that these were companies with which we were discussing the possibility of locating in the Prescott region whatsoever. I am not going to be dragged into disclosing at this time the people that we have had the opportunity of negotiating with in recent weeks, but I can assure the member that they are companies that will take tracts of land starting at 1,000 acres or more.

Mr. Cassidy: Mr. Speaker, supplementary—

Mr. Speaker: The oral question period expired a moment ago.

Petitions.

Presenting reports.

Motions.

Hon. Mr. Winkler moves that the standing resources development committee be authorized to sit concurrently with the House to consider the last annual report of the Workmen's Compensation Board, and that the standing administration of justice committee be authorized to sit concurrently with the House for the consideration of Bill 133, An Act to establish the Ontario Land Corp.

Motion agreed to.

Hon. Mr. Winkler moved that Mr. Hodgson (Victoria-Haliburton) be substituted for the Hon. Mr. Irvine on the social development committee.

Motion agreed to.

Mr. Speaker: Introduction of bills.

ONTARIO LOTTERY CORP. ACT

Hon. Mr. Welch moves first reading of bill intituled, An Act to incorporate the Ontario Lottery Corp.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: In speaking to the legislation to which reference was made earlier, in that connection I was very pleased that it was possible for certain representatives of the sports, recreational and cultural community to join us this afternoon to learn at first hand with respect to government intentions in this regard.

MUNICIPAL UNCONDITIONAL GRANTS ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend the Municipal Unconditional Grants Act, 1974.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, the purpose of this bill is to amend the Municipal Unconditional Grants Act to allow payments to be made to municipalities due to the discontinuation of our special assistance for unduly burdensome costs for Children's Aid Societies. The bill also provides financial assistance to municipalities to complete planning studies approved and initiated prior to April 1, 1974.

That bill, sir, and the next two bills will be taken through the legislative process by my parliamentary assistant, the member for Brantford (Mr. Beckett).

DISTRICT MUNICIPALITY OF MUSKOKA ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend the District Municipality of Muskoka Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, the purpose of this bill is to provide the district council with responsibility for official plan matters under the Planning Act. It ensures that councils of area municipalities retain their authority for subdivision control, plans of subdivision and occupancy standards.

COUNTY OF OXFORD ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend the County of Oxford Act, 1974.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, this Act is to amend the County of Oxford Act and would allow the hydro-electric systems in Burgessville, Otterville and Thamesford to be continued, although the police villages themselves have been dissolved.

HIGHWAY TRAFFIC ACT

Hon. Mr. Rhodes moves first reading of bill intituled, An Act to amend the Highway Traffic Act.

Motion agreed to; first reading of the bill.

Mr. Roy: Is that for seatbelts?

Mr. Laughren: Is there a cave-in on that one?

Mr. Foulds: It is for studded tires.

Mr. Speaker: Order, please. There are too many interruptions.

Hon. Mr. Rhodes: Throw him out.

Mr. Lewis: What does the Speaker mean —too many interruptions?

Mr. Speaker: Almost one too many.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Rhodes: Mr. Speaker, this bill provides relief from half-load restrictions for vehicles carrying milk, household liquid and gases, fuel and livestock feed. At the present time, all vehicles using half-load roads during the spring thaw are limited to 10,000 lb per axle total weight. Vehicles carrying the commodities I have mentioned are equipped with tanks and complex pumps and other devices which result in their having a very high empty weight. As a result, the load these vehicles can carry is so low as to be uneconomic and, at times, almost non-existent.

In the case of trucks collecting milk from farms the situation is further complicated by a requirement that the farmer's tank must be emptied when the collection is made, thus resulting in overloading if the farm is located on a highway subject to half-load restrictions. Under the proposed amendments, milk trucks will be able to carry the same load in the half-load season as they do at other times of the year.

Domestic fuel delivery trucks and vehicles with two axles carrying livestock feed to farms will be permitted 16,000 lb per axle, rather than the present 10,000 lb.

ONTARIO TRANSPORTATION DEVELOPMENT CORP. ACT

Hon. Mr. Rhodes moves first reading of bill intituled, An Act to amend the Ontario Transportation Development Corp. Act, 1973.

Motion agreed to; first reading of the bill.

Mr. Givens: What is the minister going to do now? Go down the drain with the Krauss-Maffei project?

Hon. Mr. Rhodes: Listen carefully.

Mr. Laughren: He's going to build a highway to Maple Mountain.

Hon. Mr. Rhodes: Underground.

Mr. Speaker, in order that the newly created Urban Transportation Development Corp. assume the activities and projects currently carried on by the Ontario Transportation Development Corp., it is necessary that powers be provided to the Ontario corporation to allow it to dispose of its assets and liabilities and to receive securities from a company called the Urban Transportation Development Corp. This latter company has been created under the Canada Corporations Act and is a wholly owned subsidiary of the OTDC.

The amendment being proposed will allow the OTDC to transfer almost all of its current property to the UTDC, whose ownership, like the OTDC, is restricted to provincial and federal governments. The amendment also allows the corporation to transfer its equity shares in the UTDC to the minister to hold for the Province of Ontario.

These steps are considered desirable to allow other governments, such as Alberta, to purchase equity in the corporation. It is also necessary to ensure the establishment of a nationally based corporation.

With the authorities provided by this amendment, the transfer of assets and liabilities from OTDC to UTDC can proceed. The Urban Transportation Development Corp. will then be in a position to negotiate the sale of shares to the governments of other provinces in Canada interested in acquiring equity shares, such as Alberta, and similarly to the government of Canada.

Mr. Speaker, you will recall Mr. Gillespie proposed to invest in this corporation and send a proposal to all provincial governments early in December, in which we had agreed that OTDC would become the nucleus of this national corporation.

Mr. Givens: How many junk yards are bidding for it?

Mr. Speaker: Introduction of bills.

Hon. Mr. Rhodes: Mr. Gillespie wants most of it.

Mr. Givens: Mr. Gillespie is another big businessman.

Mr. Speaker: Orders of the day.

NOTICE OF MOTION NO. 2
(concluded)

Clerk of the House: The second order, resuming the adjourned debate on notice of motion No. 2, respecting the report of the electoral boundaries commission, dated Dec. 5, 1973.

Mr. Speaker: When we were last discussing the bill the member for Wellington-Dufferin moved the adjournment and therefore has the floor.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, the Minister of Government Services asked if I would yield the floor for about five minutes, and I'm willing to do that.

Mr. Speaker: Do we have permission to allow this change to take place? The hon. Minister of Government Services.

Hon. J. W. Snow (Minister of Government Services): Thank you very much, Mr. Speaker, and members of the House. I do have another meeting I have to go to, but I did want to make a couple of comments regarding the redistribution proposals, or the report of the commission.

Basically, Mr. Speaker, I want to support the comments and suggestions made by my colleague the member for Halton West (Mr. Kerr) on Tuesday evening last. As we all know the county of Halton, which was one riding from Confederation until 1967, has been split into the two ridings of Halton East and Halton West since that time. The commission, in considering the redistribution, has recommended that the county of Halton now be divided into three ridings, Burlington, Oakville and Halton.

Mr. Speaker, based on the criteria of population in the 1971 census I have no complaint whatsoever with the recommendations of the commission as the population is reasonably evenly split between the three ridings. However, Mr. Speaker, I do not believe, taking into consideration the community

of interest and the considerations for the people of the town of Burlington, that the boundaries as recommended are the best that could be developed.

My colleague from Halton West has mentioned the proposal by the city of Burlington and by the Burlington Chamber of Commerce to have a change made to create four ridings within the county, being two ridings within the present city of Burlington, the riding of Oakville and the riding of Halton. Mr. Speaker, I believe this recommendation was also endorsed by the regional municipality of Halton.

Based on the 1971 census, as I've stated Mr. Speaker, the three ridings are satisfactory. If, of course, you take into consideration the changes since 1971 and the increase in population, especially in the north area of the county, I believe the four ridings could quite well be substantiated and would meet the population criteria of the commission.

However, Mr. Speaker, I understand the problems of the commission in dealing with these matters and their limit on the number of ridings that can be created. I would make an alternative suggestion, which was also mentioned by the member for Halton West, that if the four ridings cannot be considered for the county, then in order to meet some of the requests of the municipalities and of the residents of the area, the boundary line between the Burlington and Halton ridings be Highway 5 rather than the Queen Elizabeth Way and Highway 403.

I well realize, Mr. Speaker, that this would make the riding of Burlington larger by population. However, either way it is a very compact area. It would keep the urban area of the city of Burlington within one riding and would leave the rural area north of Highway 5 with the more rural North Halton riding. I did not say North Halton accidentally, Mr. Speaker, because I do believe and would recommend that the commission consider the possibility of renaming what is now shown on their map as the Halton riding as the North Halton riding. That really is how it is referred to within the community.

I really feel, Mr. Speaker, that if the Highway 5 boundary could be accepted by the commission, it would then leave the total industrial development area of the city of Burlington within one riding; that is really the whole urban area, as I have stated before. I would just like to suggest to the commission, Mr. Speaker, that consideration be given to the recommendations of the member for Halton West and myself. Thank you.

Mr. Speaker: The hon. member for Wellington-Dufferin.

Mr. Root: Mr. Speaker, I want to make a few comments regarding the proposed redistribution of the Ontario electoral districts. I looked at the maps and I sat down and talked into a dictaphone, so I have my thoughts well organized and I may be reading some of my comments.

I want to say that I realize that the commissioners were confronted with a very important task, having regard to the tremendous growth that has taken place in the Province of Ontario. I am sure they approached their responsibility endeavouring to arrive at what they felt was the best possible redistribution of the electoral districts having regard to all of the factors that would be involved.

However, when I received a copy of the first suggested redistribution, I was concerned that perhaps too much emphasis had been placed on the population factor and not enough on some of the other factors.

I notice in the area surrounding the riding I have the honour to represent, that the proposal would have given four members for the county of Simcoe and four to the county of Wellington; and I believe there were three for the county of Dufferin. I commented at that time that I thought that since provincial members are working with municipalities—and I think of county councils, county road committees, county health units and so on—it would be desirable if there would be a minimum of members for a county, and where practical a minimum of counties represented by one member.

When the second map arrived at my desk, I could see that thought had been given to that suggestion. However, I was concerned when I noted that the historic riding of Wellington-Dufferin was to be eliminated and a riding comprising part of the counties of Wellington and Peel was to be established. This caused me some concern, not from a personal point of view since at my age I probably will not be contesting more than one or two more elections.

Mr. M. Cassidy (Ottawa Centre): Oh John.

Mr. F. Laughren (Nickel Belt): I can understand, at his salary!

Mr. Root: That's provided the electorate has confidence in me and my name is placed in nomination. So I am not approaching this with any personal point of view. Actually, though, I think of the taxpayers when I think

of whether I should run again. If I retire they will be paying my pension and paying my successor's salary, so I would really save the taxpayers a lot of money if I were to stay on.

Mr. Cassidy: It has been pretty expensive.

Mr. Laughren: Since the member earns more than the Premier, is he taking a five per cent pay cut? Is he taking a pay cut? He earns more than the cabinet ministers.

An hon. member: The member for Nickel Belt should stand up on his desk so we can see him.

Mr. Root: I am wondering whether the commission looked at the terms of reference, and whether they took into account the term that said there should be consideration of a community or a diversity of interest, means of communication, existing traditional boundaries of electoral districts and the size and shape of the district.

Mr. Speaker, the existing riding of Wellington-Dufferin was established over 40 years ago following the census in 1931, and this was the census the Leader of the Opposition (Mr. R. F. Nixon) mentioned as that on which the riding of Brant was established. I think he said something to the effect there was the feeling that perhaps they had hived off the Liberals. Well that is probably history.

Over that 40-year period, the two counties of Wellington and Dufferin have worked together, in my opinion to great advantage for both counties. They have established the Wellington-Dufferin-Guelph health unit. They had a united assessment office. They worked together planning major roads. There was co-operation between the two counties. I think of Highway 89, which during the time that I have been a member has been extended from Primrose in Dufferin through Shelburne, Mount Forest and Harriston down to Palmerston. In other words, the two counties supported this project. Just recently, Highway 25 was extended from Acton to Wellington and Dufferin to join Highway 89 at the northern end of Dufferin county.

Then with regard to development roads, I think of the Fergus-Orangeville road which was built with the support of both counties. These are but three examples, roads, health and assessment offices. The two counties have worked for 40 years with a community of interest. It would be my hope the commission would take another look at the way they have drawn the map and try to recognize, as suggested in the terms of reference, the traditional boundaries of the electoral districts of Wellington and Dufferin.

I would also draw attention to clause b outlining the purposes of the commission which indicates they should take into account means of communication. The proposed riding of Wellington-Peel would extend for nearly 100 miles from the Village of Clifford in the northwestern part of the riding to the eastern part, which is some 10 miles east of Snelgrove in the county of Peel. While I would be living near the centre of the riding, I can see where this district could cause a problem of communication if a member were elected at the other end of the riding. So maybe I should really run for one or two more elections.

I know there are members of this Legislature who feel we should have exact representation by population. In fact, I was interested the other night to hear the NDP speakers, in particular, make that suggestion. One suggested they should eliminate eight rural ridings and create 16 more urban ridings. However, when one realizes that if a member were living at one end of the proposed riding of Wellington-Peel and he had a call at the other end of the riding it would mean a drive of some 200 miles to look after the problem—

Mr. Cassidy: It would take him five minutes to get to the telephone.

Mr. Laughren: We are not impressed.

Mr. Root: I know the member wouldn't be. I wouldn't expect he would, because he is not interested in rural Ontario.

Mr. R. G. Eaton (Middlesex South): None of the NDP are.

Mr. Laughren: A lot of exposure there.

Interjections by hon. members.

Mr. Root: A member living in a city riding could walk across his riding in an hour. I'm glad the NDP made that interjection.

In the riding that is proposed, while one might have to drive 200 miles to serve a need in his riding, a city member could perhaps serve 40 or 50 people in the same time.

Mr. Cassidy: The next member we elect will be told to use the telephone.

Mr. Eaton: That's the NDP way. They tell people what to do.

Mr. Root: On that point, I could tell the member we have a multiplicity of telephones.

Interjections by hon. members.

Mr. Root: The member probably doesn't understand rural Ontario. He can call all his constituents on one phone. We have to go through long distance exchanges in the riding. There are six or seven exchanges in the riding I have the honour to represent at the present time.

Mr. R. D. Kennedy (Peel South): He wouldn't know that though.

Mr. Root: In other words, a member could serve perhaps 40 or 50 people just as easily in the city ridings as he would serve two or three in a rural riding.

These are factors I would hope the commission would take a look at before they finalize the boundaries of the electoral districts in the area. I would hope they would keep in mind the community of interest that presently exists, and that has existed for 40 years between the county of Wellington and the county of Dufferin.

I want to be frank and say that I am aware there is some community interest in the southern part of Wellington and of Dufferin with the northern part of the county of Peel. For some years the high school at Erin has served the northern part of Peel county, and the district high school at Orangeville served the northern part of Peel or Caledon as well.

I think as well of the Erin Fall Fair which is really the preview of the Royal Winter Fair. It has served both the county of Wellington and the county of Peel or Caledon. I believe the shopping centre at Orangeville serves the northern part of Peel county.

Having talked to responsible people in the field of health, I understand Dufferin not only works with the county of Wellington and Guelph with respect to health units, but also works south into the larger hospitals in the Brampton and Toronto areas. I might also say there are many people commuting to work in a southerly direction from Wellington and Dufferin and northern Peel.

Mr. Speaker, what I am suggesting to the commission is that they take another look at the map before they disrupt the community of interest that has existed between Wellington and Dufferin and to some extent the northern part of Peel. I would hope they would arrive at the proper population factors with a minimum of disturbance to the traditional community of interest that has existed for 40 years between Wellington and Dufferin.

I am not suggesting there is no affinity between the northern parts of Dufferin and Wellington with the county of Grey. For example, I think of the township of Melancthon where people in the northern part of that township attend the school in Dundalk in the county of Grey, and I believe some are attending the high school even further north. But the traditional community interest is between new Wellington and Dufferin, and to some extent the northern part of Peel. I might say there is almost a community of interest in the northern part of Minto township, around Clifford. Actually the village of Clifford is almost on the border of Wellington and Grey and Huron, and very close to Bruce as well.

Mr. Speaker, I have every confidence when the commission takes another look at the points I have raised they will draw an electoral boundary line that will recognize the points I have raised.

Let me pay tribute to the work of the commission and they way they did recognize the points I raised following the first presentation, that wherever practical there should be a minimum of members for counties and a minimum of counties or regions for members. I realize that in some areas you can achieve the right number of voters by having one member for a county. In fact that was debated here last night. In other areas, because of the population, it may be necessary to have a multiplicity of members and there may be areas where it would be necessary for a member to be involved with more than one or two counties.

These are thoughts I am sure the commission will want to consider as they make their final report. Let me repeat, I have talked to responsible people in the areas of municipal government and in the field of health in the area I have the honour to represent, and I know there is a hope that the traditional community of interest between Wellington and Dufferin, and possibly the northern part of Peel, will not be disregarded in the redrawing of the electoral boundaries.

I would make this suggestion, Mr. Speaker, to the commission: If part of Peel is to be included in any reconstruction of Wellington-Dufferin and Peel, I hope the riding might be called Wellington-Dufferin-Peel. These are historic names and I think that everyone would be pleased to see them remain on the map. There has been a community of interest, politically, since the early days of both the counties of Wellington and Dufferin and I am quite interested in that community of interest. In fact the first time I went to the

poll as a poll clerk was in the first election after that riding was set up, and 19 of the 20 municipalities voted Liberal and one voted Conservative.

Mr. Cassidy: Was that after Confederation?

Mr. Root: However, the community of interest carried it through. That was the time at which the Leader of the Opposition said they "hived the Grits." However, I have a lot of friends among the Liberals.

Mr. R. Haggerty (Welland South): Even over here.

Mr. Root: They have been my best recruiting ground for 30 years and—

Mr. Laughren: We understand that.

Mr. Root: —in 1963 and in 1967 the same community of interest existed; every municipality voted Progressive Conservative.

Interjections by hon. members.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): A tremendous record.

Mr. Root: And so I say through the 40 years that Wellington-Dufferin has existed, there has been a community of interest; they have worked together.

I remember that first election when the Liberals went to the polls saying "It's time for a change;" they had a change, and what a change. They fired the civil servants. They cancelled power contracts. They left the farmers with the same lamps and lanterns their grandparents had used; we had blackouts at a critical time. The teachers were left teaching with a few hundred dollars instead of the many thousands they receive today. Yes, they even sold the old cars and then turned around and bought new ones.

Mr. J. R. Breithaupt (Kitchener): We promise to do better next time.

An hon. member: They'll buy bigger and better cars, sure.

Hon. Mr. Winkler: We are not going to give them a chance.

Mr. Root: If the Liberal Party has any communication with the spirits, as it is suggested the late Mackenzie King had, I can just imagine what Mitchell Hepburn would say if he saw the present leader of the Liberal Party riding around in a tax-supported limousine, drawing a salary larger than a cabinet minister.

Mr. Haggerty: The member is back in the horse and buggy days.

Mr. Ruston: This is 1975.

Mr. Root: However, that is a bit on the side. The point that I wanted to make in these remarks is that for 40 years Wellington and Dufferin, which were put together in that redistribution, have worked together with a community of interest, politically, in health, in roads and in every way possible. I would hope that before they present a bill the commission will take another look at the map and redraw the boundaries to maintain the historic riding of Wellington-Dufferin—and there is, as I said, also a community of interest in the northern part of Peel—and if there is any disruption of Wellington-Dufferin, I hope that they will keep it to a minimum.

Thank you, Mr. Speaker.

Mr. Laughren: Do his constituents know how much the member earns?

Mr. Speaker: The hon.. member for Grey South.

Hon. Mr. Winkler: Mr. Speaker, inasmuch as the member who has just spoken made references to the boundaries in regard to his constituency, and as the boundaries on the eastern side of my constituency have also been redrawn since the first map, it is necessary that I should make some reference to the proposals that really started with the Minister of Agriculture and Food (Mr. Stewart). However first of all, Mr. Speaker, let me comment in accordance with other things that have been mentioned in this debate.

First of all, the other evening when he was addressing the Legislature, the hon. member for York South (Mr. MacDonald), made reference to the tolerance figures that were used in the federal redistribution, particularly in his reference to eastern Ontario. I believe that he used the figure of 15 per cent—and I believe another member made reference to it. I distinctly recall that because of some interest on my own part at that time. Now I am aware that that statement was not correct and I'm sure the member would want to straighten the record in that regard—because it was 25 per cent.

Mr. Cassidy: But 15 per cent in practice.

Hon. Mr. Winkler: Well, that may be.

Mr. Cassidy: I put that on the record yesterday by looking at the federal figures—okay?

Hon. Mr. Winkler: That may be. The statement as far as the tolerance figures are concerned was wrong.

Mr. Cassidy: We acknowledge that.

Hon. Mr. Winkler: That was wrong. Now let's drop the matter at that point.

I also listened with interest to the hon. member for York-Forest Hill (Mr. Givens), which was very interesting, because I have some sort of relevant experience in my life; I know exactly how he finds himself. Following the federal redistribution in 1966 and 1967, I found myself in exactly the same situation. And one wonders—

Mr. Laughren: That was justice.

Hon. Mr. Winkler: —how the surgeon used the scalpel in order to get rid of my constituency at that particular time. I had to change the course of my life somewhat, but I'm pleased to be here and representing the same general area.

Mr. Laughren: Lucky, too.

Hon. Mr. Winkler: Well, have a look at the record and see how lucky. But I'll admit I've had excellent fortune, I'll tell you that, Mr. Speaker.

Mr. P. G. Givens (York-Forest Hill): More luck than brains.

Hon. Mr. Winkler: And the pluralities have been rather substantive and pleasing to myself.

Mr. Laughren: I understand.

Hon. Mr. Winkler: Now Mr. Speaker, in dealing with the constituency of Grey South, as I represent it now, and Grey-Dufferin as it's named—which is largely, of course, the county of Grey, basically, I should say, the county of Grey—in dealing with what the commissioners have made to be the component parts of Grey-Dufferin, I will go back now to the Minister of Agriculture and Food when he dealt with the situation as he saw it and defined what he thought was the correct interpretation for the area he represents.

I find that the ripple effect from his suggestions come as far as Grey county and do have a substantial effect on the map as it was drawn by the commissioners. I too recognize the very grave difficulty the commissioners had and I think they have done an excellent job with the problems they were confronted with.

Now when we talk about the number of people we represent, that really isn't of great concern to me, Mr. Speaker. In my representative life I have chosen to do it in such a manner that I do see people not only from my own constituency, but from many constituencies every week. In that regard the size, then, of the constituency, isn't all that tremendously important to me.

However, following the words of the hon. member for Wellington-Dufferin, and realizing what is transpiring with his constituency and suggestions that he has made—although he wasn't exactly definitive in regard to municipalities—I would like to say that that would put me, if his suggestions were followed by the commission, in the position of representing a somewhat different area than I have at the moment.

I might say that I followed with interest the remarks of the hon. member for Kitchener the other evening when he read the letter—a copy of which he was good enough to give me—from a student by the name of Robert Barclay. Although he might show some of his political bias in the course of his remarks, nevertheless I think he did a very thorough job of researching the subject. It also conforms somewhat to the suggestions I have to place before the commission and the municipalities that I think would bring about the change in regard to the Minister of Agriculture and Food and the whole area he referred to, as well as to the riding of Wellington-Dufferin. I woulld imagine the total remarks of the Minister of Agriculture and Food will affect the riding of the member for Huron-Bruce somewhat. It looks to me to be a very sensible suggestion.

In Grey-Dufferin, then, as it is now called, I would suggest these changes to the map that has been drawn. They are not tremendous, although they do get awfully close to Owen Sound; wouldn't that make a beautiful fight?

Mr. M. Gaunt (Huron-Bruce): Yes, it certainly would.

Hon. Mr. Winkler: The new boundaries would include the townships of Derby, Sullivan, Bentinck, Normanby, and Minto on the west; Collingwood, Osprey and Melanethon on the east; and the balance of the southern portion would be Egremont and Proton; which would bring about the squaring of Grey county with the addition, as I said, of Melancthon and Minto on the west side.

This, I think, would be quite similar to the suggestion brought forth by the commissioners in their most recent map and would facilitate very equitably and fairly the suggestions of the other people to whom I have made reference. It does compact the county of Grey and therefore, as has been stated often in the debate, it is not as difficult to represent one major municipality as it is if a member's area is divided between three, which makes it a difficult problem from the county point of view.

Again with my words of commendation to the members of the commission, Mr. Speaker, that would be my suggestion, provided the consideration of the other members who have spoken would be acceptable to the members of the commission.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Thank you, Mr. Speaker There have been a lot of members taking part in the debate on this resolution, and in my participation, I want to stress very strongly that I am not—and I emphasize "not"—objecting to the boundaries set out in my particular area. Later in my remarks I will explain why I am not objecting, but I did want to restate that I feel very strongly on that.

I would like to mention, first of all, the makeup of the riding that I represent at the present time. It came about by redistribution prior to the 1967 election. It was taken out of a part of the riding of Essex North and a part of the riding of Chatham-Kent, and made into the riding of Essex-Kent. I suppose it was what was left over from each county because of population trends that allowed the counties of Essex and Kent to have one more representative in the Legislature.

It has been, I suppose, a relatively good riding to represent because it is more or less composed of rural townships, with urban centres either in the townships or urban municipalities within the boundaries; in total, there are 12 municipalities, seven townships and five towns and villages.

At the time that the new riding was formed, and we started to have meetings to form our associations in the riding, many people from Kent county felt that the strings that had attached them to the city of Chatham had been cut away; they were bordering on Chatham, and I think they felt they were being thrown to the winds and were to be picked up by someone else. That always happens when a new riding is formed. People have to make new friends and have to join together in a common interest. After a time I would suppose that the people got to know one another—from one end to the other, which was only about 55 miles—from the border of Windsor to Charing Cross. And I suppose the people on the border of Windsor wouldn't have too much in common with the people in Charing Cross—although we're all human, and I guess we have similar problems at some time or another.

In order to get acquainted with people we did something in our riding to cement the thing together a little. I understand it was the first time it was done in the Province of Ontario. We put in a zenith telephone calling service to every exchange in the riding which allowed people to call me at my home at my expense. I think this helped considerably.

Now, with the new boundaries, we go back into Essex North, which was a riding for many years and last represented as people in this House today will remember by Mr. Arthur Reaume, who represented it for 16 years until such time as it was disbanded.

Under the new boundaries the part of Kent county that formed Essex-Kent goes into the riding of Kent-Elgin, under the new name. It includes many other municipalities in Kent county, and does make a rather long narrow, riding. The new riding of Kent is about 70 miles long; I remember one day when the member for Kent and myself checked it while driving home from Toronto.

I'm sure that since most of it is Kent county there are some similarities in problems as most are from Kent county, although it does take in four or five municipalities in Elgin.

I recall one submission made to the commission, I believe by a councillor in Tilbury East township. He was a little disturbed because he felt they were being taken out of the area they had been put in, and now were being put in another area. His submission was that the boundary line should have run north and south instead of east and west.

I suppose by doing that it could have included Tilbury East, the town of Tilbury, Raleigh township and Romney township in the riding of Chatham-Kent. If you put that in with the riding of Chatham-Kent, Mr. Speaker, it would have made that riding about 73,000 population. It would be a little larger than a normal riding where you're dealing with one city, one town and two townships. Although the riding of Chatham-

Kent is a very concise, small riding, one must consider the 58,000 people in it. The city of Chatham is the major population centre; and then there are the two townships of Chatham and Dover, and the town of Wallaceburg. They're all quite heavily populated so it makes quite a compact riding. However, it would run over the general average for a rural-urban riding. So the commission, in its wisdom, designated that it should go into the riding of Kent.

There was a submission made by the village of Wheatley that they had more in common with the riding of Essex South. The commission accepted that in the revision of the latest map, where the village of Wheatley is now in the riding of Essex South. They are only 10 miles from the town of Leamington and that's where their high school is. So there is a uniformity of similar conditions and interests in that area.

In Essex North, in getting a population that would be somewhat equal to other county ridings, they took in the township of Gosfield North and put it in with Essex North. That gives the riding of Essex North a population of 51,000 by taking the township of Sandwich West, the township of Sandwich South and the town of Tecumseh out of the old riding of Sandwich-Riverside.

Of course with Windsor having a population of 200,000 it made an ideal situation for having three ridings, so I think that the boundary in Windsor would appear to be almost ideal. I don't think anyone could have done a much better job than what the final report is. I think that the commission is doing a very good job there, with some recommendations, and they did some minor alterations apparently.

However, it's not unusual to have some townships in the county put in Essex South or Essex North. If we look back a number of years ago Senator Martin represented what is now provincially to be Essex North and along at that time, Mr. Murray Clark represented Essex South. Essex South didn't have quite a heavy enough population, so they took, I think at that time the township of Tilbury West and the township of Sandwich South, which geographically are in Essex North, and put them in Essex South so that the population would be a little more equal. So it is not necessarily an uncommon occurrence to move one township out of its general location for provincial boundary lines.

I say, Mr. Speaker, I accept the boundary lines. I accept the challenge of a new part of Essex county to represent and I certainly will be a candidate for the nomination for our party in that area. I'm saying that I'm not afraid of what might happen in the election results. I can look back over the last eight years at the results in that area. Some will say that they don't look very good; however, unless you have a challenge, you know, you never succeed. It's like the church that always had the mortgage on it. That church always ran forward, but once they got the mortgage paid off then they seemed to slacken down. We still have a mortgage, so we will be out there pounding.

We don't worry about what's going to happen. We are just going to have to let the other fellow do the worrying, because we are here and he's going to have to get us out. I don't worry about any political ramifications. I'm not speaking with any political worry when I'm speaking here, because I accept whatever the commission has done.

What does concern me is, in listening to all the speakers, I really feel very deeply that we should not have anything whatsoever to do with the alignment of boundaries of the people that we are going to represent. I feel very strongly, Mr. Speaker, that perhaps I was remiss when the original resolution came up. But I was new to resolutions as to boundary changes, although I came in under a boundary change because of a new riding that made a seat available. Some new political aspirants in our area went out for the nomination. It was very good and I think that it has been very educational to us.

It really concerns me when I think we had a commission set up to draw up boundaries. I accept them as being impartial. There have been accusations along the way saying that maybe they are not. But I do as my leader does; when we appoint a judge as the chairman of a committee which includes the chief electoral officer of the province and one professor of political science or geography from one of the universities, I have to accept that they are non-partisan and that they will do a fair job on it. Maybe they didn't get the maps just right the first time and maybe it was because they didn't get the proper expertise to do that. I don't know and I'm not saying that they didn't.

What I really think should be done is that a wider-ranging commission should be set up for this type of thing. I think it should consist of at least seven people or maybe nine. And of those people I would think that two or three should be clerks of municipalities of a city or maybe a town and a township. There should be two judges on it, because we need legal people on it. We need people who are used to making decisions that some-

times are difficult, but they must make them. I think it would be good to have a professor of geography or political science on it. We probably should have one or two former MPPs on it, who have been from city ridings and maybe a rural-urban riding.

I think it is up to us as the members to set out the guidelines as to how many seats there should be in the Legislature, but it would be up to them to set it up. They would have public hearings. I suppose we, as independent people in the area, could probably go to a public hearing to make our submission if we so decided. But I don't think that we should in any way be up here today speaking and saying that we want this riding done this way. I thought the worst of all was the other day when the Minister of Agriculture and Food and the member for Middlesex South got up—

Mr. Eaton: We speak for the people in our area.

Mr. Ruston: —and they were going to set this up in their own little way. In no way, Mr. Speaker, is that what I call proper democracy.

Mr. Haggerty: Shame on the member for Middlesex South.

An hon. member: The opposition just put words in their mouths, that all.

Mr. Eaton: We spoke for the people in the area. The member for Huron didn't consult with the people in the area.

Mr. A. J. Roy (Ottawa East): Did the member for Middlesex South make submissions to the commission?

Mr. Ruston: If this commission would have been appointed in the way I mentioned and had an obligation to have public hearings, then they would have had this information. They would have got this information and it would have kept it out of political hands. I feel very strongly about this, Mr. Speaker, that in no way should any politician set up a riding. That's gerrymandering at the very worst. There is nothing worse.

Mr. Haggerty: Particularly from that side.

Mr. Eaton: We speak for the people of this province. I spoke for the people in my riding.

Mr. Ruston: Let the electorate speak to the commission.

Mr. Speaker: Order please. The member for Essex-Kent has the floor.

Mr. Ruston: Mr. Speaker, I am saying right now that this has been an interesting debate—and educational, mind you; a little disappointing but educational—but I don't see how the commission now, after reading what went on in this debate for the two days it has been on, can go back and decide they are going to start changing the ridings all over again. I would think if they did, that would be the greatest mistake they could ever make. I don't think now they've any alternative but to accept this last map in general principles—maybe with minor changes; if someone asked for a name change or some very minor change. But in no way should they sit down and then accept—

Mr. Roy: Trying to get rid of us?

Mr. Ruston: —what has gone on here in the last two days and change the boundaries in that way. If they do, in my opinion they would be gerrymandering in the very worst way.

Mr. Roy: You bet they would, Mr. Speaker.

Mr. Ruston: I don't think, Mr. Speaker, I need to say any more. I feel very strongly on this.

I think that we might talk about payments for legislative members and whether they should have a commission doing that. While I as a member am willing to accept responsibility of setting my pay, because I have to answer to the people who pay me—

An hon. member: That's right.

Mr. Ruston: —I don't think I should designate what the ridings should be. That has to be done by an independent body, and the public should have lots of input.

Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. Cassidy: Mr. Speaker, are you not rotating on this?

Mr. Gaunt: No, no. They had three in a row.

Mr. Cassidy: On a point of privilege, Mr. Speaker. I have a plane to catch in about 20 minutes, could I possibly speak very briefly?

Mr. Roy: He has already spoken.

Mr. Cassidy: Not on this debate, no.

Mr. Speaker: State your point of privilege.

Mr. Cassidy: Pardon?

Mr. Speaker: Did you say you had a point of privilege?

Mr. Cassidy: I was simply asking the member if I could go first because I have to leave the House in 20 minutes.

Mr. Speaker: Well, that is up to the member from Huron-Bruce. He has the floor; if he wants to yield the floor to you, I'll consent to it.

Mr. D. C. MacDonald (York South): He did yield, Mr. Speaker.

Mr. Gaunt: On a matter of clarification, Mr. Speaker, how are we working this particular debate? Is it a case where a member can speak twice, once on the initial resolution and then again on the second resolution?

Mr. MacDonald: They are different motions.

Mr. Speaker: We agreed on that on Tuesday. The House agreed that they would be able to speak on both resolutions if they cared to—any member of the House.

Mr. Cassidy: Thank you, Mr. Speaker.

Mr. Speaker: Just a minute, the member for Huron-Bruce hasn't yielded the floor to you yet. Now if the member for Huron-Bruce wants to speak at this time, I have to hear from him.

Mr. Gaunt: Mr. Speaker, I'd be glad to accommodate my friend. I have some time commitments also and as far as I am concerned, I won't be more than 10 minutes. If the hon. member won't be more than five or 10 minutes I think I could yield to him.

Mr. Speaker: Just a minute. The order of speaking at the present time is as the names came in to the Speaker. Now, the name of the member for Ottawa Centre is not even on this list and he'll have to go down a long piece in the list. There are six speakers before the member for Ottawa Centre at present.

Mr. Gaunt: Mr. Speaker, I think if there are members who have particular commitments, we on this side are certainly prepared to allow the list to go, really, within the sequence of those who happen to be here. We have certainly no objections to a brief comment, if that is to be made by the member for Ottawa Centre.

Mr. Speaker: Is it agreed by the members of the House?

Some hon. members: Agreed.

Mr. Cassidy: Thank you, Mr. Speaker. I'm afraid I didn't realize there was a list and that it was working in that way. I've spoken on the first resolution and my comments on that resolution stand. I just wanted to add one or two comments, really directed to the electoral boundaries commission, in relation to some of the comments made by the member for Wellington-Dufferin and some of the other Conservative back-benchers.

If I can quote what the member for Wellington-Dufferin said, he stated: "An urban member can serve 40 or 50 people as easily as a rural member can serve two or three." There has been a consistent kind of refrain from a number of the members on the Conservative side to justify a very sharp departure from the principle of representation by population, a principle which I personally and my party, feel extraordinarily strongly about.

I want to direct my comments to the commission on the question of the difficulty of servicing an urban riding, and on what I understand is a comparison between servicing an urban riding and servicing a rural riding. I recognize that the member for Wellington-Dufferin was exaggerating or using a bit of hyperbole.

Mr. Root: Mr. Speaker, on a point of order. The member is accusing me of exaggerating. The point that I tried to make was that if a member was living at the west part of the proposed riding of Wellington-Peel and had a problem at the eastern part, it would take four hours to drive there and back if one was going to stay within the speed limit. I said that a member in the city, in a riding one could walk across in a hour, could serve 40 to 50 people in the same time it would take a member in a large rural riding to serve one. The member shouldn't say that I am exaggerating. I have represented the riding and I know.

Mr. Speaker: I think the member for Wellington-Dufferin has made his point. The member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker. The point is, though, that the member for Wellington-Dufferin says he can't serve as many people as I can. The fact is that our duties down here are sufficient now that a member who is active in the Legislature, in policy making and policy study and so on, has very

little time to make contact with his constituents, whether he is a rural or an urban member. There is a very real difficulty here. I am an urban member.

Interjections by hon. members.

Mr. A. Carruthers (Durham): That's ridiculous.

Mr. Cassidy: In order to carry out my duties in this Legislature I have a full-time office—

Interjection by an hon. member.

Mr. Cassidy: —which costs about $12,000 a year, is staffed by a full-time paid person and two volunteers working half a week apiece, and we could use more people. As an urban member, I have to ask people to come to me and to make appointments on the Fridays or Saturdays when I am in my riding, when this House is sitting, and I suspect that it may be the same for many people in rural constituencies as well. They either pick up the phone—which didn't exist in rural areas to any appreciable extent 30 or 40 years ago—or else they have to ask their people, if it's particularly important, to come to them.

Granted, if there is a meeting in the western part of the member for Wellington-Dufferin's constituency which it is important for him to be at, there is more transportation difficulty for him than there is for me. On the other hand, in the case for the member for Nickel Belt, who it is proposed will have about 60,000 constituents, he may have to spend a whole day to get to that meeting and come back, with no alternative means of access. He will have to drive; he has no bus service, no train, no plane, nothing apart from a float plane or his own automobile.

I would suggest, though, that in terms of access to the member, most of our constituents these days have telephones and they all have access to the post, which is relatively efficient despite Mr. Mackasey. They can get in touch with their member and get an answer within a few hours or within a few days. In fact, they can reach me far more quickly by telephone than they can see me in person. I suspect that may be the case with the rural members as well.

Given the way in which this province has grown up over the last, say, 15 years—we have gone from a parish-pump type of provincial government to a very sophisticated and a very big government costing $8 billion or $9 billion a year—most of the issues which are dealt with by this Legislature tend to touch most of the people in all of our constituencies more or less equally; whether it's gift tax, estate tax or other taxation questions, whether it's economic development questions or urban development questions, or questions of health, questions of the administration of justice, and so on and so on.

In the past there has been a personalized kind of intervention by members in both urban and rural areas—perhaps particularly in rural areas—on liquor licences, on getting a highway access, on farm loans, on the ODC, on tourism development, and maybe even in such simple things as tax rebates or getting provincial assistance. The problem there, Mr. Speaker, is that the member's time and energies are being misused if he is being turned into a local ombudsman or welfare officer who has to intervene consistently day after day in hundreds or thousands of cases per year.

If that's the case, if that's what we have to do, then the member for Wellington-Dufferin has got some reason in saying that a rural member has more pressures of that nature put upon him and more demands for that kind of service than an urban member.

What we should be doing as policy makers in this Legislature, though—apart from redistribution—is designing our provincial services. The ministers and this House should be directing the provincial bureaucracy in order to ensure that it's responsive and effective and that most of those cases, most of those problems, are dealt with fairly and equitably and sensibly by the civil service before they ever reach the level of the member of the Legislature. Then, at that point, if the system breaks down, the member can come in. But it shouldn't be breaking down 10 or 20 times a day, or even 10 or 20 times a week, It is, but it shouldn't be. I would suggest that a system of redistribution which admitted that the system was breaking down 20 times a day, would simply help to perpetuate the kinds of problems that we have right now.

A few members, myself included, have taken steps to free themselves from the perpetual pressure of constituency case work so that we can work in this Legislature in our party and with other political work. Many have not been able to find the wherewithal to do that, or for other reasons have preferred to continue to do that kind of constituency case work. But I would suggest to the commission, which I know will be reading this debate, that it is not very long

now before every member will be equipped with assistance in his riding in the form of a constituency office, or some other kind of help. That's a matter of four or five years at the outside, and the pressure of constituency case work will no longer be the factor that it is right now.

It's for this reason, among others, the commission should not design its constituencies for a kind of horse and buggy era of representation. That's why I say to the commission: Please treat with great reserve some of the pleas of the rural members that the population criteria be set aside in favour of shrinking still further the rural riding and making their populations even smaller. There is already a disparity which is unacceptable between urban and rural populations. Don't make it worse.

The second point I want to make, Mr. Speaker—I will make very briefly—is this: We are better with the redistribution that is proposed, bad as it may be, than with the present electoral map, going into the 1975 election.

Some of the proposals that were made, say by the members from the London area, can possibly be accommodated within their immediate area without a ripple effect. To speak directly to the London case, for example, most of Middlesex county, excluding the portion that is in the member for Huron's proposed riding, could be put into a new riding and there could be three urban ridings in the London area and one county riding that took in a substantial part of Middlesex county. That could be done without a ripple effect that spread all the way up to the Bruce Peninsula.

It may be possible to make certain accommodations like that in a short period of time, but I would strongly urge that the commission only make those changes that can be done very quickly, if it chooses to make any accommodations to this debate at all, and that it come back to us in time that we can pass the legislation for the 1975 election.

The Premier (Mr. Davis) has given a personal commitment that redistribution will be in force for this election. I sense that he and the cabinet are under pressure from Conservative back-benchers to go slow. It has been suggested for example that the urban ridings be changed, but rural Ontario be left alone. I suggest that that is an acceptable compromise and that the Premier should be asked to hold to his commitment and that the redistribution commission should hold to the timetable originally set so that before the end of February we can have the bill before us and we can make our decisions about the new ridings in the Province of Ontario.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. Gaunt: Mr. Speaker, I wanted to make a few remarks in this debate. I wasn't going to enter the debate, because basically I am happy with the work of the commission. I think they tried to do the very best they could with what is an extremely difficult and very sensitive task. For that I want to congratulate them.

I have to apologize to my friend from Essex-Kent. Even though I agree with the last portion of his remarks, I am afraid I am going to violate them substantially. Mainly because—

Mr. Cassidy: Those guys can never stick together.

Mr. MacDonald: He's being a bit self-righteous.

Mr. Gaunt: I've been forced into this position because of the other speeches from other members doing exactly the same thing.

Mr. Roy: Which members? I don't see any members across there.

Mr. Gaunt: After the series of speeches in defence of making Middlesex county a single-unit rural riding, and particularly after the unwarranted and unnecessary attack by the Minister of Agriculture and Food on my colleague, the member for Huron, I decided to enter the debate in defence of my colleague and to put a few facts on the record, which I hope will clarify the situation.

I am also quick to point out that I want to make a few remarks in defence of maintaining Huron-Bruce as a provincial riding, because the survival instinct in all of us is very prominent, Mr. Speaker.

Mr. Roy: Besides, it's a great riding.

Mr. Gaunt: If Middlesex and Huron counties were created as separate provincial ridings following the county boundaries of each, that could mean that Huron-Bruce would disappear. The riding was created by a redistribution under Bill 125, back in 1933, I believe. Since that time it has been enlarged once. It is, therefore, a rather historic rural riding. It is one of perhaps five or six ridings in the province that can be considered strictly

rural, with no urban municipalities with a population of over 3,500. Well, this isn't sufficient to justify its continuance. I think it is a factor, provided the riding can meet the other criteria established by the House and which were applied by the commission.

There is, therefore, a considerable concern on my part as to the ripple effect of creating Middlesex county as a district and a separate provincial riding. I can understand why the Middlesex citizens feel the way they do. It is perfectly natural and in many ways quite logical. I'm going to come back to that in just a moment.

What I can't understand is the Minister of Agriculture and Food's defence of the proposition. He first of all makes the point that the people of Middlesex county want it that way—the reeves, the federation, the citizens and so on. That's fine; well and good; no problem. Then he goes on to say that because of some perversion of my colleague, the member for Huron (Mr. Riddell), he's trying to take over part of Middlesex county.

Mr. Roy: Hogwash! Terrible.

Mr. Gaunt: Some members of the Huron county council and others, according to the Minister of Agriculture and Food, are promoting the idea of making Huron county a single provincial riding which would assist in creating Middlesex as a single provincial riding unit. My colleague, the member for Huron, dealt with the first question on Tuesday night last, but I want to deal with the second point for a moment.

I did some checking after I listened to my friend, the member for Middlesex North, and I am told that Huron county council has never been in the position where it, formally or informally, discussed the matter of making Huron county one provincial riding. Redistribution was discussed by Huron county council at a special August session to discuss the Mustard report. The member for Huron and myself were present at that meeting. And I want to give you what I consider to be an absolutely accurate account of what happened, Mr. Speaker.

First of all, the meeting was called to discuss the Mustard report. There were officials there from the Ministry of Health. There were many interested people. Presentations were made on the Mustard report, and that lasted most of the afternoon—up until shortly after 4 o'clock, as I recall it. I spoke on the Mustard report and I believe my colleague, the member for Huron, made some comments as well.

Then, before county council recessed, they decided to deal with the matter of redistribution. We were asked, as the members for the area to give an account of the latest proposal with respect to the riding boundaries. The member for Huron outlined what the latest proposal of the commission had been. I did the same.

The county was concerned and wanted to submit a resolution on the matter that had been drafted by the executive committee of county council. I want to read that to you, Mr. Speaker, because I think it is very important, particularly in view of what the Minister of Agriculture and Food said. It reads as follows:

> The warden and members of the Huron county committee and executive committee wish to report to county council the following:
>
> 1 Redistribution of provincial ridings: Members of the executive committee are concerned. Let it be clearly understood that the committee is only opposed on the basis of workload that will be added to the present provincial members. The protest is not a case of being against any municipality, but simply a matter of work involved in conducting business of Huron-Bruce and Huron county.
>
> One must bear in mind that when a second, third, or fourth county becomes involved in one riding, this adds a considerable amount of responsibility on a particular member. It is only fair to say a member of Parliament can only represent a reasonable number of constituents in any given area.
>
> We, in the rural areas, require strong representation at Queen's Park and one step to ensure this representation is to have a representative serving a compact area. Therefore, executive committee recommends to Huron county council that a letter go forward to the appropriate authorities, requesting the proposed boundaries of both ridings be reconsidered as follows:
>
> (a) Huron-Bruce riding: The return of the area from Wellington county to Wellington county. Since our present member is already serving a portion of Bruce county it would appear reasonable to accept the addition of the township of Brant and the town of Walkerton.
>
> (b) Huron riding: The executive committee recommends the former Huron-Perth boundary be re-established; secondly, that the southern boundary of the Huron

riding be extended to include the same area as our present federal riding of Huron-Middlesex.

(c) In conclusion, therefore, the executive committee recommends that Huron county council forward a letter of protest in this connection to the proposed redistribution of provincial ridings for this area.

This was endorsed by the Huron county council unanimously with one exception, the deputy reeve of Goderich, who said that he didn't want to endorse it because that meant county council was injecting itself into provincial politics, and he didn't think that was proper. Other than that it was unanimous.

Mr. R. S. Smith (Nipissing): The Minister of Agriculture was misleading the House then?

Mr. Gaunt: Yes, he was; and I am going to come to that. I am sure he did it unwittingly.

Mr. Breithaupt: He did it, wittingly or unwittingly.

Mr. J. E. Bullbrook (Sarnia): He has no capacity to do it wittingly.

Mr. Gaunt: That was sent to the commission on Aug. 12 and was forwarded to Mr. Brian McCool, secretary to the commission, on the same date. It was acknowledged by Mr. McCool on Aug. 19.

I ask you, Mr. Speaker, does that sound like Huron county council wanted Huron county as one provincial riding? Hardly.

At that particular meeting, and during that particular discussion, there were four people who asked questions about the boundary changes and about the general circumstances surrounding the proposed changes. I can recall them well, and I am sure that the member for Huron can recall them too.

There were two questions posed by a county council member, and it was the same county council member who happened to phone the Minister of Agriculture. One doesn't need to be a Perry Mason to figure that one out. The questions which were posed to my colleague from Huron were these:

First of all, this gentleman asked my friend from Huron: "Have there been any complaints or representations made by Middlesex county or its members in reference to the proposed changes?"

My colleague said—and I was sitting right behind him—"I don't know. I'm not aware of any." If the minister, or if the member of council construes that to mean that those changes were amenable to the Minister of Agriculture and Food and to the member for Middlesex South then we're just not talking the same language yet. I know the member for Middlesex South didn't mention that, but the Minister of Agriculture and Food certainly did because he said he received a phone call. If the member of county council and the Minister of Agriculture and Food interpret those words as meaning that the minister was amenable to the proposed changes then I think someone should go back to school and learn the English language, because it certainly can't be construed from the comments that were made by the member for Huron.

Then I was asked by the same county council member: "What would you think of Huron county being put into one riding?" I replied: "That's a possibility. In that event, one of us would have to go." Then they sort of laughed and we went on. Then he said: "If that were proposed would you oppose it?" I said; "If county council wants it, I wouldn't oppose it." That's the way it was. County council obviously didn't want it, or at least they certainly didn't say so in their resolution which they forwarded to the redistribution commission.

So I think, Mr. Speaker, this raises several questions, perhaps several serious questions—

Mr. Bullbrook: You bet they're serious questions.

Mr. Gaunt: —that I'm prepared to deal with. The question has to be why? Why did this happen? Why did this member of county council—and I know who it was, without a doubt—ask those questions, support that resolution by his vote and consent and then apparently turn around, according to the Minister of Agriculture, and in a rather sneaky and surreptitious manner slip off and phone the minister's home and say that the member for Huron said the minister was agreeable to the proposed changes and I was agreeable to making Huron county one riding? That certainly wasn't the case at all. The whole discussion didn't even have any remote resemblance to that particular construction which has been attributed to it by the minister.

Mr. W. Ferrier (Cochrane South): It sounds like the minister needs a few better spies, eh?

Mr. Gaunt: That's right.

Mr. Ferrier: The ones that he has misled him.

Mr. Gaunt: I'll tell you why, Mr. Speaker. I'll tell you why this happened. I didn't want to put this on the record, but the Minister of Agriculture has left me with no choice. I think that the commission should be aware of it and I want to tell you why. The fact of the matter is that this particular gentleman is very highly motivated politically. He's interested in getting into the provincial arena. Specifically, he wants to run against my friend from Huron, but he doesn't want to run against him if Middlesex is part of the riding of Huron, because he's not very well known down in Middlesex and his chances of winning are very remote. He is fairly well known in the county of Huron, and while in my view he wouldn't stand any chance of beating my friend from Huron, in his view I'm sure that he thinks he'd stand a much better chance than he would if he were running in Huron-Middlesex.

An hon. member: Not a chance.

Mr. Gaunt: That's why this particular event transpired, I'm sure. There's not a doubt in the world about it.

An hon. member: It sounds like another loose nut—

Mr. Gaunt: The minister, in effect, has become the political handmaiden of that particular gentleman in this House. The commission is independent, objective and fair. They brought in their report, not only to maintain Huron-Bruce but to extend it. The minister has unwittingly forced the commission into a position where if the commission did at this point change Huron into one riding it would be seen as being politically motivated, and that's called gerrymandering.

An hon. member: He'll lose the turkey vote.

Mr. Gaunt: The commission is too smart and independent to be drawn into that kind of situation. There is another aspect of the position of the Minister of Agriculture and Food that I find curious. He's the one man in the Davis government who is supposed to fight for agriculture and the farmers. He has said on numerous occasions that it's very important for farmers to have a strong organization because they don't have the strong political clout they once had. Rural representation is slipping away as we become more urbanized. Yet who is recommending the disappearance of a rural riding? The Minister of Agriculture and Food.

Mr. Eaton: We are fighting to retain one out of two we are losing.

Mr. Gaunt: Strange indeed I can say.

Mr. Ferrier: The Minister of Agriculture against farmers?

Mr. Gaunt: I can only conclude that the minister puts his interest of politics ahead of the welfare of agriculture.

Mr. MacDonald: Is the member surprised by that?

Mr. Eaton: The member knows better than that.

Mr. Gaunt: All right. What is the solution? There is a solution. There has to be a solution. I think there is here. It may not be entirely satisfactory to everyone. It is not entirely satisfactory to me. But I think it might be the best that can be achieved under the circumstances. I mentioned earlier that I can certainly understand and appreciate why Middlesex county wants to be a separate provincial riding. I understand that. I know about it. If I could be presumptuous enough, I would suggest that three ridings roughly 75,000 each be created within the city of London and that Middlesex be a separate riding except for McGillivray and Biddulph townships which could go into Huron. There is a precedent for that in that those two townships are part of the Huron federal riding. I'm sure that no one, particularly on that side of the House, would say that those townships are poorly represented federally. They are well represented federally.

Mr. Eaton: That's right.

Mr. Gaunt: My friend from Middlesex South agrees. That would leave Middlesex with a riding population of approximately 55,119, which is quite acceptable. That's quite acceptable.

An hon. member: It meets the criteria.

Mr. Gaunt: All right, let's come to Huron, and let's talk about Huron. My suggestion is that we return everything to Huron as it was previously. That is Tuckersmith township, the town of Seaforth and Hullett and McKillop townships. Those would be returned. Add Biddulph and McGillivray from Middlesex, and Colborne and Ashfield townships from Huron-Bruce. These two townships have a community of interest with Goderich, which is already in Huron, and so it makes sense to make that change. That would give Huron a population of just over

40,000; Huron-Bruce, 48,978; and Grey-Bruce, 49,673. All are acceptable when one considers that there are something like 11 ridings, I believe, in the province under 50,000—Renfrew South, 49,171; Frontenac-Addington, 48,414; Lincoln, 48,410; Stormont, Dundas and Glengarry, 47,781; Carleton-Grenville, 46,423; Victoria-Haliburton, 45,722; Lambton, 43,880; Lanark, 42,259; Prince Edward-Lennox, 41,494; Parry Sound, 40,017; and Muskoka 31,938.

Mr. Bullbrook: Just 31,000?

Mr. Gaunt: If the population figures for the three ridings of Huron, Huron-Bruce and Grey-Bruce are not satisfactory—

Mr. Bullbrook: Just 31,000. How can they do that?

Mr. Gaunt: —then I think the commission has no other choice but also to adjust these ridings I've mentioned, most of which are in eastern Ontario and some of which are abutting.

An hon. member: All of which are Conservative represented.

Mr. MacDonald: That's a good suggestion.

Mr. Gaunt: If the commission takes that view, then I'm quite prepared to see the population figures adjusted in the three ridings I've mentioned, including my own. But until the commission is prepared to grapple with that problem, then I see nothing wrong with the creation of the ridings I've suggested.

In summary, Mr. Speaker, I hope that these comments have been helpful to the commission. I hope that the commission can consider the comments I have made as well as the comments that other members have made in this particular debate. Thank you very much.

Mr. Speaker: The hon. member for Peterborough.

Mr. Eaton: Mr. Speaker, I would like to rise on a point of personal privilege. There has been a question asked repeatedly as to why Middlesex did not make a statement on the proposal from the member from Huron county. I'll tell you why, Mr. Speaker, because in Middlesex county we never received any indication of that proposal.

Mr. Speaker: The hon. member for Peterborough.

Mr. J. M. Turner (Peterborough): Thank you, Mr. Speaker. While I am on my feet, I would like to make a few brief remarks if I may.

Mr. Speaker: I was under the impression that the hon. member for Huron-Bruce had completed his remarks. Is this correct? You are through?

Mr. Gaunt: Yes.

Mr. Speaker: The hon. member for Peterborough.

Mr. Turner, Thank you, Mr. Speaker. While I am on my feet, I would like to put a few brief remarks on the record for the hon. member for Humber (Mr. Leluk) with respect to the naming of the riding of High Park. In the absence of this member caused by his new responsibilities as parliamentary assistant to the Minister of Culture and Recreation (Mr. Welch) I want to state emphatically that the member for Humber is in complete agreement for once, with the distinguished sitting member for High Park (Mr. Shulman), in that High Park be known as High Park-Swansea. A number of civic-minded organizations and individuals in Swansea have relayed their requests to the members for Humber and High Park. Thank you.

Mr. Speaker it is with a feeling of deep disappointment that I rise to speak on behalf of the people residing in the riding of Peterborough and to voice their objections to the report of the Ontario electoral boundaries commission of Nov. 18, 1974.

Mr. Speaker, I know how easy it is to stand up and criticize, but I feel the objections of the people of Peterborough riding are valid and I support them. However, I think also that we have to recognize the tremendously difficult task the commission faced in making these changes. And as the member from York Mills expressed it the other day, it is all the more difficult when you have 117 self-styled experts. However, I would like to pay tribute to the commission for the work they have done, and by and large it is a thankless task. They are not going to satisfy everybody; if indeed, they satisfy anybody.

Mr. E. W. Martel (Sudbury East) Is the member for Peterborough satisfied?

Mr. Turner: Well, I'm just saying that I'm not.

Mr. Ferrier: Everybody says what a wonderful job they did, and then they get up to say what's wrong in their riding.

Mr. Martel: Nobody's happy.

Mr. Turner: Well, frankly, I wouldn't want the job, Mr. Speaker, and I recognize that it is a difficult and thankless job. And I don't think, with all respect, that anybody in this chamber today could do it any better.

Mr. E. J. Bounsall (Windsor West): Oh, the member for Peterborough and I could do a much better job. He and I could do a magnificent job.

Mr. Turner: I appreciate the member's confidence. However, I doubt it.

Mr. Martel: Ask the member for Middlesex South. He thinks this was well looked after.

Mr. Turner: I would like to get on with this, if I may, and put the objections of the people of Peterborough on the record.

Mr. Martel: Those are the member's objections.

Mr. Turner: Mr. Speaker, if I may just make this clear, once and for all.

Mr. Bounsall: Don't smile.

Mr. Turner: I am an optimist by nature. I have here a resolution from county council.

> Peterborough county council strongly and unanimously objects to the changes that are contemplated to be made by the Ontario electoral boundaries commission now before the Legislature for consideration, insofar as Peterborough county is concerned.

Now, the people in the various municipalities within the county have all filed their objections with me and, I presume, previously with the commission. I think if we just back up and take a look at the riding we can see where the objections are stemming from.

The proposed new district would be comprised of the ctiy of Peterborough, the village of Lakefield, the village of Millbrook and the five townships of Cavan, Douro, North Monaghan, Otonobee and South Monoghan, for a stated population of 73,480. The remainder of Peterborough county would be included in the present riding of Hastings, to be renamed Hastings-Peterborough. When one stops and looks at the map, it makes for an unbelievable situation where we have a riding that extends from the western boundary of Peterborough county right through to Deseronto on the eastern side; and it arcs around the city of Peterborough.

What we are suggesting is that the commission did not in fact give sufficient recognition to their terms of reference. In fact, I would suggest that the commission could not give recognition to these terms of reference because, with all respect, it was really beyond their knowledge and expertise to do so.

If one stops and looks at the county, it's apparent that it is a rather unique situation. The city of Peterborough is the major municipality in the county; it is the seat of county government as well as being the major commercial and industrial centre in the county. The vast majority of people residing within the county and not actively engaged in the role of agriculture, work, shop and do their business in the city. The city also provides a focal point of various interests for all people living within the county.

In addition, the city of Peterborough is also the centre of cultural and educational facilities for the county. All the hospitals, and by far the greater number of medical doctors and dentists, are located within the city. The city is also the centre for the whole area for communications, transportation, newspaper, radio and television. Therefore, all the people living within the county identify very strongly with the city and have very strong personal ties there. This has been recognized and supported in an editorial in the Peterborough paper, which I will quote in part:

> County council does not like what the commission plans for Peterborough. Most of the county and city form one riding now, but the commission would split off most of the northern part of the county and add it to the northern three-quarters of Hastings county as one riding. This ignores the ties between the city and the county on a political, historical, social, commercial basis and the many bonds of daily interplay between the urban and rural people.

This has also been recognized by the city council, which passed a resolution in support of the county resolution, with the same request as the county, that the boundaries of the electoral district of Peterborough be coincidental with the county as they are now.

Since the county forms the electoral district, it has also given me, as the member for that riding, the opportunity of working closely with the county council and the city council. This is a unique situation, and I have found it a very advantageous situation to bring the thoughts of the city and the county together. I think they have worked very closely,

very successfully and very effectively on this basis. I think this can aso be pointed out by the co-operative efforts between the county and city in the operation of the hospitals, homes of the aged and so on.

I have met with the Peterborough county council and most of the other municipal councils in the area, and as I have just read out, the county passed a resolution to keep the electoral boundaries the way they are at present.

Many individuals residing in the county have made their views known to me, and they also support the retaining of the present electoral district of Peterborough coincidental with the boundaries of the county. I have a petition here which was gathered by an individual in one of these rural municipalities. In his own time he collected over one third of the names of the voters within that township. He did this, as I say, in his spare time. It's not complete, but because his debate is coming up now, he gave me what he had to date. It represents one third of the voters—over 400 people who want to stay within the present electoral boundaries of Peterborough.

Mr. Speaker, I would strongly urge the commission to reconsider the electoral district of Peterborough, to reconsider what they have done, perhaps unwittingly, to make the people feel that they are being cut off from their major centre of commercial activity, social activity, cultural activity. It would be very, very difficult for anybody to service that new riding—as I say, it extends from Peterborough on the west to Deseronto on the east, a tremendous distance.

I would also suggest that the commission take a look at the electoral district of Peterborough again, and take into consideration that Highway 28 pretty well divides the county on a north-south basis. Perhaps some consideration could be given to using that highway as a dividing line between ridings. But certainly the least change the people of Peterborough would be happy with within the riding, would be to have the riding as it is recommended by the latest changes in November, with the addition of Smith township which is completely adjacent to the city.

By far the greater majority of people residing within Smith township work in the city of Peterborough. There is a subdivision within the municipality that is serviced with water from the city, and it just doesn't make sense to exclude those people from the riding of Peterborough. And the same is true with the township of Ennismore; they are the ones who are on the western electoral boundary of Peterborough county. I would respectfully suggest that as an absolute minimum the commission consider adopting the recommendation of Nov. 18, 1974, plus the townships of Ennismore and Smith, if they cannot reinstate the riding of Peterborough as we know it today.

I submit this respectfully to you, Mr. Speaker, for the consideration of the commission. I will be sending copies of correspondence and copies of resolutions from the various municipalities within the riding, to the commission for their further consideration. Thank you very, very much.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, following the comments of the hon. member for Peterborough, I was wondering if I could make one brief comment to reinforce what he happened to have said. I'll just take a moment to do that, if I may.

The point was raised concerning Smith and Ennismore townships and we too were advised that there were resolutions passed by both township councils unanimously asking for this matter to be reversed. In the original redistribution, these townships were part of the proposed Peterborough riding, and there was no opportunity to make comments before the second series of boundaries came forward, because they thought that this matter was all in hand. The residents of the townships, as the member has said, are most anxious that this be returned to the proposed new riding of Peterborough, and one would hope that the commission very seriously consider this matter as they look at the review of this debate in Hansard.

Mr. Speaker: The hon. member for Hastings.

Mr. C. T. Rollins (Hastings): Mr. Speaker, as elected member for the riding of Hastings, I would like to make a few comments on this latest proposal as it affects Hastings-Peterborough county.

I have listened with a great deal of interest to what my colleague from Peterborough has mentioned. I would like to bring to the attention of this House that the first proposal did not go to the extent that it did, and it only included the townships of Dummer, Belmont, Asphodel, Methuen and Chandos, and under that basis it was quite reasonable to accept, in view of the population of the riding of Hastings.

I listened to my colleague give the population of Peterborough, and if my information is correct, the new riding of Hastings-Peter-

borough would have approximately 15,000 greater population than the proposed riding of Peterborough.

Mr. Bounsall: The other way around.

Mr. F. Young (Yorkview): No. Hastings-Peterborough has 54,000 and Peterborough 73,000.

Mr. Rollins: Well, that's what I said. The Hastings-Peterborough riding would have a greater population than the Peterborough riding.

Mr. Young: It's the other way around, Mr. Speaker. Hastings-Peterborough would have 54,500 and Peterborough itself would have 73,400.

Mr. Rollins: Oh, I'm sorry. Right. Well, in any event, Mr. Speaker, this area is a large area, but there is one item of importance—the elected people in the county of Hastings and in the county of Peterborough have carried on their responsibilities in a very efficient and capable manner. They have assisted me in the same manner that the hon. member for Peterborough has been assisted, and I feel very strongly about what has been recommended by him and also by a member of the opposition party. It's only logical that Ennismore and Smith revert back to the Peterborough riding as proposed by my colleague. There's growth in that area. With these two municipalities reverted back to the Peterborough riding it would leave the overall riding of Hastings-Peterborough as a very practical and reasonable solution, correcting an apparent oversight in not taking into consideration the growth of the city of Peterborough as it affects the area in the municipalities of Ennismore and Smith. And I would like to support this recommendation as an elected member for Hastings riding that this be given consideration.

Mr. Speaker: The hon. member for Nickel Belt.

Mr. Laughren: Thank you, Mr. Speaker. When we first started debating the redistribution of the ridings of the Province of Ontario, I suggested that I was not particularly thrilled about the assurance that there would be not fewer than the present 15 seats in northern Ontario. I felt then, and I feel now, that there should have been an increase in the number of seats. This party has made the point that there could have been at least one more; I personally think there could have been two more, if one considers Sault Ste. Marie, and the three seats in the Sudbury area—Sudbury, Sudbury East and Nickel Belt—where there could easily have been an extra seat created.

I personally was pleased with the changes that were made concerning the riding I represent—Nickel Belt—in that they took a couple of communities and put them in Sudbury East so that the people will be equally well served after redistribution. At one point Mr. Speaker, it looked as though the member for Sudbury East was going to be moved into the riding of Nickel Belt and I can assure you that I was more concerned about that than was the member for Sudbury East. I can imagine him bringing all his compensation cases to me as his member and asking me to solve them. That would have been a full-time job in itself.

When one looks at the riding I represent, which runs some 400 miles from one end to the other, and consists of a population of almost 52,000, it is hard to accept the fact that there are other ridings, strangely enough represented by Conservatives, with populations of 30,000 for Algoma, 31,000 for Algoma-Manitoulin, and 32,000 for Muskoka. If one looks at the size of those ridings compared to the size of Nickel Belt and compare the populations, there is no justice. It is not fair to the people in the riding I represent to have that kind of difference. When one considers the distances and the road conditions in northern Ontario, one can appreciate how difficult it is to serve those people adequately, given the size of the riding.

If one totals the populations of the three ridings in the Sudbury area versus those other three ridings I mentioned, one will find that the ridings in the Sudbury area have a population more than twice as high as that of the three Conservative ridings. That simply cannot be justified. It is not good enough to say that the population in the summer time increases in the riding of Muskoka. There are all sorts of ridings in the province where the summer population increases, and certainly Nickel Belt is one of those, although I am sure not nearly as dramatically as it does in Muskoka.

So, Mr. Speaker, I hope that the commission will take another look at the sizes and the populations of the ridings in northern Ontario. I hope they will seriously consider my suggestion that there be two more seats in the north, and I hope they will seriously consider the fact that the Conservative ridings of Algoma, Algoma-Manitoulin and Muskoka are simply too small compared to the size of the ridings that some of the rest of us represent. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I would like to join this debate and make a few comments. First of all, I would like to extend my compliments to the commission. I am certain that they are doing the best they can with this very difficult task and it is going to be very difficult to please everyone.

However, I would be remiss, Mr. Speaker, if I didn't mention the fact that the secretary to the commission is a very old friend of mine, Major Brian S. McCool. We attended Harbord Collegiate in the years before the war. He, of all things, taught literature, and sometimes I wonder how he survived; it was quite a tough bunch of young fellows that went to Harbord Collegiate in those days.

Mr. D. M. Deacon (York Centre): The member was there too.

Mr. Braithwaite: I was there. I just want to comment on the fact, Mr. Speaker, that the major was a very good teacher. During the war he had a very distinguished military career and I am certain that he is doing a very good job as secretary to the commission.

Mr. Speaker, my colleagues have already spoken at length on the broader issues connected with the proposed redistribution. This debate has dragged on for quite a while and I'm not going to take too long. I will confine my comments to the present and proposed ridings of Etobicoke.

Since 1963, Mr. Speaker, it has been my pleasure and my honour to represent some 90,000 people who reside in the riding of Etobicoke. Basically, that's all of Etobicoke, Mr. Speaker, north of Eglinton Ave. with the Indian Line on the west as a boundary, Steeles Ave. on the north and the Humber River on the east.

Under the proposed redistribution, the name of the riding has not been changed, Mr. Speaker. It will still be called the riding of Etobicoke, and of this I'm glad. I'm not entirely content with, but I'm not too dissatisfied with, the proposed southern boundaries of the new riding of Etobicoke. However, I would like to comment briefly on the eastern boundaries that have been contemplated or planned for the new riding.

First of all, Mr. Speaker, the name Etobicoke is synonymous with the areas which have always been a part of the borough of Etobicoke. The people who live in the northern part of Etobicoke have problems which are unique—problems such as the desire for better transportation; problems such as the fight that we recently won to get a GO station in Rexdale, and problems such as the noise pollution which we get from Malton airport.

In that regard, Mr. Speaker, the people who live in that particular area are united as one in opposition to any enlargement of that particular facility. They are in favour of a new airport being built at once.

These are the types of problems, Mr. Speaker, that the people who live in northern Etobicoke have a common interest in. People who live in North York may or may not have an interest in some of the same problems, but I suppose it is fair to say that their problems are not the same as those of the people who live in Etobicoke.

Mr. Young: The member is going to get 1,000 New Democratic votes in that territory.

Mr. Braithwaite: Well, I'll convert them to Liberals.

Mr. Laughren: That will be some conversion.

Mr. Braithwaite: In the past, Mr. Speaker, natural barriers such as rivers, or major highways or roadways—

Mr. Bounsall: A big step.

Mr. Braithwaite: —have comprised the boundaries of the riding. For these reasons it would appear that the portion of North York lying east of the Humber River on both sides of Islington Ave. and south of Steeles Ave. should remain a part of a riding in North York. As I said, Mr. Speaker, the interests of this are are synonymous with the interests of the borough of North York and it would appear that these people should be represented by, or should form part of, a riding which is wholly in the borough of North York.

Mr. Speaker, I said I was going to speak very briefly. I'm going to close my comments by asking the commission to reconsider its proposals as far as the riding of Etobicoke is concerned, and I would ask the commission to consider my remarks concerning the proposed eastern boundaries of the new riding.

Mr. Speaker: The member for Sudbury East.

Mr. Martel: Mr. Speaker, unlike the rest I'm not going to compliment the commission. Everyone's complimented the commission on

a tremendous job and then gone on to kick the tar out of it. I find that a little strange, Mr. Speaker, so I won't be part of the approach.

An hon. member: Hypocrisy.

Mr. Martel: Hypocrisy, as my colleague says.

I was upset when the commission first presented its findings in late June. An interesting thing happened, Mr. Speaker. The map designated, as my colleague said, that I was going to retain my own home town, but the figures didn't jibe. So I wrote a series of letters to the commission and on the third response they said, "We made a mistake and you are not keeping your home town." But it showed it on the map, and ultimately, I learned that the council objected because they were putting it in the riding of Nickel Belt. That wasn't the reason they objected. It was the only community in that direction that would remain in the riding of Nickel Belt. Nickel Belt flows towards the north and the west. They were putting the community of Capreol into that riding, separated by two other ridings, the riding of Sudbury East and the riding of Sudbury, which would have divided it from Nickel Belt.

The reason I bring that up, though ultimately over a series of letters it was reversed and we learned that it was just a mistake, was the attitude of the commission to people who wrote to them. The council was so upset with one commission letter that it wrote to the Premier, I believe, and indicated its displeasure at being so cavalierly treated by the commission and at the response from the commission to that council which had petitioned that the town remain in Sudbury East as a part of that riding, the most extreme northern part of that riding, to be precise. There was no justification and apparently it was an error. It was the response from the commission which upset the council. They just didn't feel that they should be replied to in such a terse manner.

The statistics are bad even now though, Mr. Speaker. I did a little checking with the planning board in the city of Sudbury, for example. They've made another switch in my riding. It's an interesting switch. They've taken two wards from my colleague, the member for Sudbury (Mr. Germa), and put them in Sudbury East and they've taken two wards from Sudbury East and transferred them to Sudbury. One would like at least to know why the move, but there is no way of finding out.

In doing that, I checked out some statistics. For example, they show in the part of the city of Sudbury called Lockerby 9,000 people and since 1971 it's increased to almost 14,000. In fact, the statistics being used to indicate the numbers of people in that community are really out of proportion to what are really there. There are far more people than they show.

This brings me to the point my colleague from Nickel Belt raises. If one were to look at the ridings across northern Ontario in purely a political partisan way, one would see, for example, that the Tory ridings, exclusive of Sault Ste. Marie, are very, very much smaller than any other riding. We have Algoma, which has 30,147; Algoma-Manitoulin, 31,557; Cochrane North, 42,594; Kenora, 46,000; and Parry Sound, 40,000. One wonders where the commission was. In the case of my colleague, the member for Nickel Belt, it is 400 miles from one end of his riding to the other. He has to go well into the territory of Algoma and he has 52,000 people. I cover a distance of 3,500 square miles; 22 municipalities, some of them unorganized. I believe in the riding of Sudbury East there will be 65,179 people.

Mr. B. Gilbertson (Algoma): Oh, he is good.

Mr. P. D. Lawlor (Lakeshore): The member for Algoma got half of the territory.

Mr. Martel: The electoral district of Timiskaming, on the other hand, has 48,000. Now where is the justification for the member for Algoma to have 30,000? The member for Nickel Belt who has a riding that stretches 400 miles—

Mr. Laughren: Or 20,000 square miles.

Mr. Martel: —or 20,000 square miles—

Mr. Martel: —or 20,000 square miles—in fact, he has 52,000.

Mr. Lawlor: The best bet is for the member for Algoma to stay nice and quiet in my opinion.

Mr. Martel: I really don't care to divide it that way, but the real problem is the amount of staffing that goes on in this idiotic place to try to assist people. The member for Nickel Belt gets one secretary for instance, while the member with 32,000 people gets one secretary. How does the secretarial staff meet the demands placed upon it by ridings which are double and 2½ times the size of the Tory ridings in the north? That's what

bothers me more than anything. I don't care if there are 65,000 people. The thing is that I'm given staff equal to a member who has 30,000 people. How in God's name are we supposed to give them the same type of assistance?

Mr. Laughren: The Tories don't want us to.

Mr. Lawlor: Of course, the member for Algoma is only half the man the member for Sudbury East is.

Mr. Martel: Mr. Speaker knows, because I've written to him in the last couple of weeks since he has acquired the new duties as Speaker, to point out that in order to provide service for the people—and that is what this place is about—there should be some distribution of funds so that adequate services could be provided for people in those communities.

I can take five Tory ridings and they don't equal the size of the three ridings in the Sudbury area. One wonders why the Minister of Transportation and Communications (Mr. Rhodes), for example, was left with 80,000. I could give you some of my own reasons, Mr. Speaker, but I won't. Of course, the minister has a slightly larger staff than do back-benchers in this place.

Mr. Gilbertson: Geography has a lot to do with it. The member knows that.

Mr. Martel: Geography does have a lot to do with it. But that being the case, then I would suggest to the member for Algoma that if one looks at the map, the town of Chapleau fits ideally in that member's riding, because he goes up to Wawa—

Mr. Gilbertson: Look, it is 100 miles from Wawa to Chapleau.

Mr. Martel: It's 300 miles from Nickel Belt to Chapleau. So we are talking 100 miles for the member for Algoma and 350 miles for my colleague.

Mr. Young: He could take part of Sault Ste. Marie.

Mr. Martel: He has got double the population of the member's riding and equal staff.

Mr. Gilbertson: How far is it from the east of my riding to Hornepayne?

Mr. Speaker: Order, please. The member for Sudbury East is presenting his viewpoints.

Mr. Martel: Maybe we'll get the member up, Mr. Speaker.

Mr. Laughren: No, he's too happy. He's happy.

Mr. Martel: As I say, my concern is trying to provide people with service. That's what we are here for. And with the type of distributions proposed, and no difference in staffing, then it becomes very difficult to provide those services.

Prior to these duties going to the Speaker, I had an exchange of correspondence with the minister responsible, the Minister of Government Services, and I pointed this out to him. In reply, he indicated his staff was somewhat smaller than the Premier's I agreed with that, because there was a difference in workloads. The same applies to members of the Legislature who have ridings that are double the size of some of their colleagues' riding so I didn't even bother moving into the south, but Muskoka is very near us and it has 33,000 people. Something is amiss when that type of manipulation goes on.

But there is a choice for the commission. It can, as my colleague from Nickel Belt points out, put another riding in the Sudbury area and possibly another riding in Sault Ste. Marie to cut down that area. The least that could be done by the government —and, Mr. Speaker being responsible for this, he shouldn't have to wait for the Camp commission to report—is that Mr. Speaker could take it upon himself to say that in those circumstances we will provide additional staffing. Mr. Speaker, that would be greatly appreciated by those members who have large areas with unorganized townships.

One has to recognize none of the members in southern Ontario have that strange creature called the unorganized township, with anywhere from 800 to 1,800 people and no government of any description, so that the member is drawn in on every type of problem. There are no members in southern Ontario who have unorganized townships. Yet the vast majority, including my friends from Algoma and Parry Sound—I can berate them a little because of the size of the ridings—but nonetheless they have those problems too of the unorganized townships where they become the father confessors.

Mr. Gilbertson: Right on.

Mr. Martel: Again, they are required to work with the same amount of staff. And so you have another inequity between north and south, because in southern Ontario those types of ridings don't exist—or those un-

organized townships. So you can understand, Mr. Speaker, why I am upset, partially because of the way in which most backbenchers are treated around this place.

Mr. Gilbertson: People love him.

Mr. Martel: That's fine. I don't think 55 per cent. of the people can be wrong, but that's beside the point. One has to provide them with equal services, the same as those people who are in the south. We can't do it. For those people in the north who have much larger ridings than your own, Mr. Speaker, it too calls for additional staffing to provide services. This government won't recognize that point and the commission doesn't recognize the inequity of the size of the various ridings across northern Ontario. And so the whole system is very unfair.

I think the whole way that this commission was established, the fact that there was no input by the public from the beginning, indicates to me that it is just a mish-mash. I would suspect that in the dead of the night what the commission did was to use doughnuts and throw them at a map. Wherever they landed was circled and that was the new riding. That might be carrying it a little far, but I wanted to say, Mr. Speaker, I am not happy. I want to leave off with those remarks. Thank you very much.

Mr. Speaker: Does any other hon. member wish to speak to these resolutions?

The member for Windsor West.

Mr. Bounsall: Mr. Speaker, I have found this debate one of the most interesting of all the debates that I have listened to in this House since I joined it some three-plus years ago.

It's true that we all are experts in our own area and we all feel that we could have drawn the redistribution much to our own liking, etc., etc. But in listening to the debates—and I say these words, to the electoral boundaries commission—there are three areas in which to me the proposed changes made sense generally. I refer to the London-Middlesex area as it was modified and explained by the few changes requested by the Liberal Party spokesman who is interested in the area. Those changes proposed initially by the London and Middlesex area members, with the Liberal changes added on top of that, to me make a lot of sense.

The points made by the members for both Halton East and Halton West with respect to where the boundaries of Burlington should be made a lot of sense to me.

In eastern Ontario the interesting situation arose where you had the member for Carleton wanting to add the township of Gouldourn to Carleton riding. That would make it a rather large riding. But the basis of the reasoning there was continuity of interest in the community. This was, in fact, a completely urban township and it made sense to keep that with the urban area of Carleton rather than throwing it in with this purely rural riding.

The member for Hastings (Mr. Rollins) indicated that the township of East Hawkesbury, again with a great deal of sense, seemed to fit very nicely into the riding of Prescott and Russell, rather than where it had been placed.

Having made those two changes, with the other five ridings of Lanark; Leeds; Carleton-Grenville; Stormont, Dundas and Glengarry; and Frontenac-Addington, it appears that one could very easily make four ridings out of those other five ridings as proposed, each with an average population of around 55,000. This would be a population about the size of Hastings-Peterborough, and about the same size as all of the ridings in the northern part of southwestern Ontario. To me, that sort of a change could fairly easily be made and would be more electorally consistent with what was aimed at by the commission.

I was quite interested to hear the member for Renfrew South (Mr. Yakabuski) saying that representation by population is not appropriate for the Province of Ontario. That's a rather interesting view indeed, in this day and age.

I simply have one comment to make to the electoral boundaries commission. Virtually every member has proposed changes for his or her area. I would hope that they do not take this as an invitation to spend another two or three months redrawing the electoral boundaries for the province, and therefore run us into the danger of having to fight the next election on the old riding boundaries. They should make the quick changes that they see to be appropriate—that they feel it would be appropriate to make quickly—and get on with the job of bringing in the bill.

Just one final comment: With respect to the comments made by the member for Wellington-Dufferin, I think it was, in respect to servicing urban constituents as opposed to servicing rural constituents, it has been my experience since being elected a member in a purely urban riding that in fact I do not travel very much about that urban

riding, that I use the telephone 90 to 98 per cent of the time, and that that is the means of communication rather than person to person.

I will admit that one constituent in every 15—I have narrowed it down to about that, one in every 15—seems to think that the member is not working on his constituency case or problem unless he can actually see the member. There is that very solid and strong feeling among some constituents. I say to those constituents, "I have a riding office in a given location. I will be there on Saturday mornings. Can you come to the office?" When I didn't have that riding office, I said, "I will be at home on Saturday mornings. Can you come to my home?"

If that person was disabled or blind or completely without transportation, even though he felt very strongly that he wanted to see me and I really wasn't working on his problem until he had, he then found that he could in fact give me the problem over the telephone. I think we tend to pamper constituents if, every time they express the feeling that they want to see us, we feel we must get in our car and go and drive and see that person.

I suspect that in a widespread rural riding a member could probably get that person to give him the problem and case over the phone and say to the person, "Look, I will be in your area in two weeks' time. Give me the problem now and when I am there, I will in fact drop in and see you"—rather than feeling that one has to be continually travelling across the much vaster distances of rural ridings as opposed to urban ridings. Particularly in this day and age with people oriented toward telephones, I find that the argument about us being able to service—I don't quite remember the numbers—40 or 50 while rural members can serve four or five probably isn't accurate.

Mr. Breithaupt: In the same time.

Mr. Bounsall: In the same time, yes. I don't feel it justifies and is a justifiable argument for a large urban-rural population difference as we have.

My own final remark to the electoral boundaries commission, Mr. Speaker, would be one of saying that I do strongly support the proposals for the city of Toronto which would create block ridings. There have been Toronto members speaking about the queer shapes of their urban ridings, such as the face having been cut off of the dog and the dog made pregnant in terms of St. George riding, and the disappearance of the riding of York-Forest Hill as an entity into other places.

I would say to the commission, "Take the present outside boundaries of Metro; keep them the same and block the thing off in the centre throughout the whole of the Metro area in blocks or rectangles and do that job; look at the communities, and get it over with." That seems to me something which could be done fairly quickly. Thank you, Mr. Speaker.

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: Mr. Speaker, it had not been my intention to speak in this debate because I am completely happy with the disposition of what's happened in my riding. However, you know, listening to the debate as it goes along, I said to myself that would probably presuppose that at the times when I do speak I must be unhappy. Why on earth shouldn't a person speak once in a while if he is happy about the thing?

Also, I find I am in the rather strange position of being perhaps one of the very few voices in the House that are positive with respect to what the commission has done. I want to congratulate them sincerely, without animadversion, without reservations whatsoever, right down the board. Thank God they exist. As far as I can see, if changes had to be made in Lakeshore riding, the changes would have been the ones I would have drawn myself. They couldn't have been better.

Mr. Bounsall: Does the member know anybody on the commission?

Mr. Lawlor: I have always felt that Lakeshore riding in the west end of Toronto was gerrymandered, and have said so in this House previously. There's some kind of an obtuse triangle stuck up in one corner there to rattle Tory votes into the last moments of of an election, but sometimes coming fairly close to reversing the good result achieved up to that point in the night as they come in. That is all being cut out and they're following a logical, geographical, communal concept right down a stream called Mimico Creek.

Mr. Bounsall: Completely NDP riding.

Mr. Lawlor: It brings into the riding the town of Mimico, which is and always has been, since time immemorial—since Jacques Cartier landed outside where I live type of thing—the same as New Toronto and Long Branch; they have felt a sense of community,

have worked together, they have interlacing affairs, and what affects one deeply effects the others. Mimico was off in the member for Humber's territory previously, and I felt that was most detrimental, not only to the souls who exist there but with respect to the communal concept that was fractured in this particular regard. Now that is being rectified by a very sensible commission, indeed.

I want them to proceed. These new boundaries, I trust, despite the undertow of this debate, will go forward immediately, forthrightly, deliberately, with some alterations where the more egregious instance is. As the hon. Leader of the Opposition said to this House in his speech on this matter, we place in the hands of a non-partisan, independent commission the sovereign prerequisites of drawing these boundaries; we divorce ourselves from it; we give it the authority so to do, and then apparently we withdraw with our right hand what we have proffered with our left. It seems to me an undermining of the independent function of that commission for this kind of debate to have gone on at this length, with the prolixity and with the undertow of malice that exists in some instances, which is hardly deserving as proceeding from this House or from the members themselves.

If it is our intention to set up such commissions, independent of ourselves, to dispose in their hands the powers over matters of this kind, and then to truckle and pull back and authority, it seems to me there's very little worth in the whole procedure. That is what has happened here in the last couple of days. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for York Centre.

Mr. Deacon: Yes, Mr. Speaker, just a couple of words. I was very pleased to hear the hon. member for Lakeshore compliment the commission, and it's interesting that there is some difference between his views and those of his colleague from York South. I share the views of the hon. member for Lakeshore with regard to the readjustment of the lines in my riding. If it had to be done in York Centre it couldn't have been done much better than they did.

Mr. Eaton: Exactly the way the member wants it.

Mr. Deacon: But I do want to bring to the attention of the commission the matter of the Toronto wards. I support the view taken of the Toronto ridings, that it should be done on the basis of the wards that the city of Toronto now has outlined. It's much more in keeping with their idea of trying to strengthen common community interest.

I also want to bring to the commission's attention the fact that Toronto Island really should be in the riding of St. George. Toronto Island lies largely east of University Ave. and that is the boundary line for St. George riding. I think those residents have a greater affinity to the riding of St. George than St. Andrew-St. Patrick.

Those are the remarks I wanted to make, Mr. Speaker. I do think the commission has tried to do an honest job and in most cases it has succeeded.

Mr. Speaker: Do any other hon. members wish to speak to this resolution? If not, this concludes the debate on this item.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

Hon. Mr. Winkler moves second reading of Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Mr. Speaker: Does the hon. minister wish to lead off with some remarks?

Hon. Mr. Winkler: Mr. Speaker, I have a brief statement to introduce the debate. The members will recall that on May 4, 1972, the government introduced a bill to extend and regulate collective bargaining procedures for Crown employees.

Mr. Martel: The minister means to straitjacket them.

Hon. Mr. Winkler: The Act was proclaimed on Dec. 29, 1972, and the parties have negotiated under its provisions since that time. Following representations from and discussions with the Civil Service Association, the Liquor Control Board, the Liquor Licence Board employees' association and local 767 of the Canadian Union of Public Employees, the government agreed to make certain amendments to the Act, and the amending bill was introduced by myself on Dec. 12, 1974.

Among the major changes proposed by the bill are the reconstitution of the grievance board and the tribunal on partisan lines, in contrast to the non-partisan nature of the present bodies; a provision for the selection of arbitration board chairman on an ad hoc basis by the nominees of the parties, as opposed to the present arrangement which provides for the appointment of a chairman by the Lieutenant Governor in Council for a

two-year renewable term, and a significant modification of sections 6 and 17 to provide that certain matters, hitherto considered functions of the employer, become negotiable matters and certain other matters are subject to consultation between the parties.

It has always been the aim of this government to avoid the worst features of an adversary approach to collective bargaining. With this objective in mind, it was decided that binding arbitration should continue to be the means of resolving impasses at the bargaining table until better alternatives are developed. While it is conceded that the amendments do not need all of the changes proposed by the bargaining agents, we believe that the bill constitutes a sincere and not insignificant attempt to improve bargaining procedures, while continuing to recognize the government's responsibility to protect the public interest.

Members will have an opportunity to express their views on the amendments as the bill goes through committee. I look forward to the discussions that will take place.

In concluding these brief remarks, I would like to assure members of the Legislature that at the conclusion of second reading I will move that the bill be sent to a standing committee for consideration.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, it is apparent as we look at the debate on the amendments to this statute which are proposed by the Chairman of the Management Board, that while there are several basic changes with which we can agree, we regret very much that the bill does not follow the approach which we would have taken concerning the amendments to the statute that should be brought forward.

We find, of course, in reviewing the terms of this bill that the amendments will give to the association and equal voice in appointing members to the grievance board and to the arbitration board under the Act. We find as well that the association will have the right to bargain on certain additional matters, such as promotions, demotions, transfers, layoffs and the classification and job evaluation system.

While any changes in the Act may offer some form of improvement to the various procedures for bargaining with employees of the Crown in Ontario, we are certainly prepared to welcome those, although we believe that the principle of the bill follows a procedure which is not satisfactory. We believe that in these amendments the government has sidestepped what are the real issues in this situation and that the amendments are inadequate.

The Act, in our view at least, still will be unnecessarily restrictive. By merely making a strike option unavailable, the government has simply acknowledged the fact that if there is a strike in the public service that strike would be illegal. Unfortunately, that will not resolve the situations which might lead to the removal and withdrawal of services by various members of the Civil Service Association from the Province of Ontario. This will then, accordingly, not prevent a strike from occurring. It will simply make a strike illegal and this, of itself, may prove to be a provocation in the long run.

We believe that compulsory arbitration should be restricted only to certain employees whose services are essential with respect to the provision of health and safety services within the province. We admit that there are certain provincial employees who perform essential services which we cannot allow to be withdrawn from the public of this province. However, there are many other employees in the civil service who we believe should have the opportunity, as one of the options open to them, to withdraw their services—with, of course, the exceptions to which I have referred, namely, those of health or safety of the community at large.

Mr. Martel: The elevator workers.

Mr. Breithaupt: Yes, it sounds like the elevator workers. That's exactly the case.

Mr. Martel: The transit workers.

Mr. Breithaupt: We are prepared in the circumstances to acknowledge the responsibility which we have in the Legislature to intervene if such a situation cannot otherwise resolve itself. But we believe that to deny that right to the vast majority of members of the civil service in advance is unnecessary. Out of a total of approximately 67,000 full-time public servants we think, by our research at least, that there appear to be some 22 per cent, or some 15,000, who are denied bargaining rights. Most of these are denied these rights particularly because they are deemed to be in accordance with section 1(l)(m) of the Act and I quote: "Persons employed in a managerial or confidential capacity."

This ratio of excluded persons, we feel is far too high and it appears from our research to be the highest of any jurisdiction

in Canada. In the federal government service about 7.6 per cent of such persons are excluded. As we look at the provinces of British Columbia and Prince Edward Island, the amount is some three per cent; in Alberta, 8.7; in New Brunswick, seven per cent; and in Saskatchewan and Nova Scotia, approximately 10 per cent. So Ontario's proportion seems to be unreasonably high as one looks at the package in the first place.

Surely, the objectives of the government must be to prevent strikes, and not merely to make them illegal. We believe that this cannot be done unless there is greater freedom for negotiation provided, and if the areas of compulsory arbitration are restricted only to employees whose services are deemed to be essential.

I am pleased that the minister, the Chairman of the Management Board, has said that this bill will go to standing committee after it, no doubt, will receive second reading in the House. It is most important that before these amendments are proceeded with that the Civil Service Association and other interested persons within the province have the opportunity to appear before the standing committee where they can make their views known. It is always restrictive to have only members of the House debating issues in committee, because the input of persons who are truly expert, or who feel very deeply on particular points, should be available to the members of the House so that we indeed can make better legislation out of the legislation which is placed before us.

I regret that because of the amendments being, in our view, unsatisfactory, it is our decision to vote against the bill. We are going to oppose the bill basically because we believe that the kind of approach which the government has taken is inadequate. As I have said, the exclusions that are not in the bill—the points which we believe should be substantially changed—have not found favour with the government. We think that the position that has been taken by the government is incorrect. Accordingly, Mr. Speaker, we will oppose the bill.

Mr. Speaker: The hon. member for Windsor West.

Mr. Bounsall: Mr. Speaker, I applaud the Chairman of the Management Board of Cabinet for having decided—and letting us know so early on in the debate—that the bill would be sent to committee outside the House. This is an opportunity for the general public and the concerned Crown employees to come in and make personal representation on each and every part of that bill. I hope to see many of them there so doing.

The CSAO will be able to come in and take a firm stand in presenting its views with respect to this bill, which so very much regulates both its activities and the activities of its members.

I applaud the minister for his decision, but the applause stops there. We are opposed to this bill. We will vote against it with a great deal of enthusiasm, because it doesn't grant the right to strike. It continues to entrench managerial rights and retains restrictions on what is bargainable. It continues to deny I do not feel that casual or temporary employees, and thereby makes them second-class citizens in the labour markets of this province.

The bill does contain some changes, which one might say are steps forward; but there are also further disadvantages built into the bill which heretofore did not exist. The bill quite clearly excludes casual employees and temporary employees from bargaining rights. I do not feel that casual or temporary employees should be denied bargaining rights. I could say more on that topic here, but I will save my detailed remarks for discussion before the committee.

Another interesting point to me in this bill is that it excludes—and this is definitely a disadvantage—employees in the auditor's office and the Office of the Assembly from being members of CSAO. Where represented, they have traditionally been represented by the CSAO. To exclude the CSAO from representing them is a little bit strange to me, particularly for employees of the Office of the Assembly. The Legislative Assembly Act specifically does not take away the right of those employees to have a bargaining agent. They can choose a bargaining agent of their choice.

Is the Chairman of the Management Board saying, "We would much prefer the employees of the Office of the Assembly to have the CUPE public service or Office and Professional Employees International Union represent the members of the Office of Assembly rather than have the CSAO represent them?" Why is he saying, "You have the right—we are not denying it—to choose a bargaining agent but there is one particular bargaining agent that you cannot have, and that's the CSAO"? I find that strange.

If they have the right to choose a bargaining agent, why deny them one particular bargaining agent? That should be their choice. I cannot understand the denial of one particu-

lar bargaining agent for that group of employees.

It also excludes the employees of the tribunal and the grievance settlement board. Not every employee of the tribunal or grievance settlement board is going to be a person in judgemental or confidential situations. I would suspect there might be the odd secretary or two around those particular activities. Why should those people be singled out and told: "You cannot have CSAO as your representative"?

Mr. Martel: Divide and conquer.

Mr. Bounsall: It confounds me. I just don't know why that has been done. It does not follow any reason whatsoever that I can see.

Another point the bill could have covered, but doesn't, is the elimination of all prohibitions on political activity—which were in the original bill. It does not eliminate those prohibitions. If the CSAO as the bargaining agent of the Crown employees wants the members it represents to be able to engage in some sort of political action, those Crown employees collectively having arrived at that decision, it would be appropriate for them to so take that action. I cannot see the continued denial of political action to such a large group of people in this province.

Mr. Martel: Those at the top engage rather openly.

Mr. Bounsall: Dropping the discriminatory clauses on political activity through the mechanism of this amending bill would pave the way for the removal of the prohibitions found in the Public Service Act, sections 11 to 16 which in effect, if one follows those Public Service Act sections, prohibits even the writing of letters to editors of newspapers by Crown employees in this province.

Taking these discriminatory clauses out of the original Act would pave the way for amendments in the Public Service Act which would widen the political activity in this province which has been so very much narrowed at the moment. One cannot even write a letter to the editor without contravening a section of that Public Service Act. These employees are being denied their basic human rights in a democracy by this political activity limitation.

Mr. Martel: But Don Martyn could be the Minister of Culture and Recreation's (Mr. Welch) campaign manager during the last Tory leadership campaign. There are two sets of rules.

Mr. Speaker: Order please. The hon. member for Windsor West has the floor.

Mr. Bounsall: The combination of the old Act which has not been amended by this amending Act and the Public Service Act certainly makes it impossible for public servants to become in any way slightly involved in any sort of political activity.

I think the bill, fails markedly as well to make any step forward in defining—this was an opportunity to so do and the committee may see this as one of its major tasks—the managerial or confidential capacity clauses which are there. It's my understanding there is an excessively broad interpretation of that phrase in the original Act. Ontario has, in fact, the highest ratio of persons excluded from those eligible for collective bargaining in any jurisdiction in Canada. That section of the Act should be expanded and that section clearly defined right in the Act, so those wide interpretations and exclusions don't continue.

Of course, Mr. Speaker, one of the major things which we resent very much, that has not been changed in this Act, is that basic right to strike which most certainly should be granted to all Crown employees. How can the Legislature justify taking away the right to strike from a receptionist at Queen's Park, but say it is okay for a receptionist down the road at Ontario Hydro to have that right to strike? How can they take away from a custodial person working in this Legislative building the right to strike, but say it is okay down at Ontario Hydro or over at the Workmen's Compensation Board or many other commissions that are closely related to other commissions closely related to this provincial government? It just does not make sense whatsoever.

One gets the feeling that government thinks that the Crown employees in total, all 60,000 of them, are just out there waiting, once they are granted the right to strike, to strike.

That just isn't true. No group of employees is irresponsible. If they feel an issue strongly enough, if the negotiations get thoroughly bogged down, and if they have no alternative, they strike. They strike, in most cases most reluctantly. My impression of the civil servants in Ontario as a group is not of a group of persons who treat their responsibilities in their jobs lightly, who are irresponsible and always about to run out on some sort of a strike, or frothing at the mouth and can hardly contain themselves behind the desk or phone because they want to get out there and strike. They look to me to be a

very responsible, reasonable group, a group which in fact could be trusted with the right to strike. Give them that trust. I do not see why. He must be highly suspicious of this group of very hard-working, in most cases, and very responsible people.

Mr. Martel: They should have been on strike a long time ago.

Mr. Bounsall: He must mistrust them profoundly to not allow them his trust in terms of their using that trust and that right to strike in a responsible fashion. I cannot understand the profound mistrust he must have of this group since he persists in not giving them the right to strike. In this regard I am going to quote to the House, if I may, remarks made by the Chairman of the Management Board of Cabinet to the Kiwanis Club of Ottawa at the Chateau Laurier Hotel on Friday, Jan. 24, 1975, in connection with the right to strike and civil servants having that right.

> Binding arbitration [the minister says] has come under increasing and expensively publicized attack by the CSAO and others who are demanding the so-called right to strike for civil servants. I say "so-called right" because I cannot accept the suggestion that some fundamental freedom equivalent, say to the right of free speech or religious freedom, is at stake here. Rather it seems to me that giving an employee the power to withdraw his services in pursuit of his contract demands is or can be part of a collective bargaining process, but it is not essential to it.

Mr. Young: Who wrote that?

Mr. Bounsall: I wonder, then, what is their fundamental solution—and they are always in the weaker position—if they cannot achieve anything else?

He goes on:

> In my view, it [meaning the right to strike] should be seen more as a condition of employment subject, as are other conditions, to the wider ramification of the jobs or services at issue and subject to, of course, any individual's right to refuse employment should he not find the conditions attached to it acceptable to him.

I can hardly believe those last words. What the minister is saying to the civil servants of Ontario is, "We are not going to give you the right to strike. And if you don't like it, get the hell out of the civil service." That's what he said in that last paragraph.

Mr. Martel: He's talking like Powell.

Mr. Bounsall: That's one nice attitude for the chairman of the board that must negotiate with those civil servants to have. "You don't have the right to strike. If you don't like it, get the hell out of the civil service." That's what the minister said here.

Interjections by hon. members.

Mr. Laughren: Shame.

Mr. Bounsall: If I were a civil servant I would be highly tempted to test him on that point alone.

Mr. Lawlor: That's from 1823.

Mr. Laughren: It makes for some labour relations, eh?

Mr. Young: Who wrote it? Tell us. Surely the minister didn't write that.

Mr. Laughren: He didn't say that, did he?

Mr. Lawlor: It belongs back in the last century.

Mr. Young: The minister can't believe that.

Mr. Martel: He was born 100 years too late.

Mr. Bounsall: Mr. Speaker, we would take some group of employees in this province, in terms of health services, safety services or protection services—I think of the police and perhaps firemen—and not give them the right to strike. We would have to consider, in the light of other provinces giving their hospital workers the right to strike, or not taking it away, and never having had strikes in that sector, whether we wouldn't completely repeal the Hospital Labour Disputes Arbitration Act.

I would like to try giving the hospital workers in Ontario the right to strike, as they still have in some other provinces, and seeing what happens, and to trust in the integrity of the workers involved and their feelings about their jobs to bargain in such a way that they would never need to go on strike, only to take that course with great reluctance.

It works in other provinces. In some other provinces, the workers in hospitals still have the right to strike and they have not exercised it. That seems to me to be the reasonable approach to how we should be dealing with these workers.

There are some services, such as police and fire, where we would say no. But in terms of the civil servants of the Province of Ontario,

what is so essential to the public good over any short period of time about any of their jobs? The liquor store employees? The typists? The custodial staff here? Sure, things get a little dirty. We might all get a little thirsty. Fewer letters might reach us—and that would be a blessing. But we can't call their jobs essential and we can't deny them the right to strike. It just doesn't make sense. In relation to that group that we would deny, in the public interest, the right to strike, we would take the view of Chief Justice Woods in his report on labour relations, and we would take the view of former Chief Justice McRuer in his writings on civil rights. They both have said: "If the right to strike,"—"that fundamental civil liberty," in McRuer's words —"is taken away from a group of employees, you give to that group of employees"—

Mr. Lawlor: Does the minister know what people had to do to win that right?

Mr. Speaker: Order please. The hon. member for Windsor West has the floor.

Mr. Bounsall: Mr. Speaker, I do have a problem. Being an ex-university professor, I have 50 minutes of speech planned out and if I am interrupted in it I will have to go back to the start and start all over again.

Mr. Speaker: Order please. I would draw to the attention of the visitors in the gallery that the House rules do not permit any applause, or any other type of emotional outburst or laughter while you are here. We certainly welcome you here and we appreciate your interest, but we would ask that you abide by the House rules and watch and listen quietly. Thank you.

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, on a point of order, I think that if you examine precedent, the last Speaker of this House did rule that chuckles were allowed in the gallery.

Mr. Bounsall: I haven't got any chuckles written into my address here, Mr. Speaker, but I will try to ad-lib a few as I go along.

Getting back, McRuer and Woods said that if that basic right to strike is denied, we have to give them something to replace it, to ensure to those workers that they get in return, in benefits, in salary, in working conditions, something to make up substantially for that right to strike if it is to be denied. We find nothing in this Crown Employees Collective Bargaining Act, in its original form or in the amendment Act which we have before us today, which in any way makes up for that right which has been denied them.

In fact, it is one of the worst bills I have ever seen in labour legislation anywhere, in any jurisdiction. It does not in any way give them something to substitute for the loss of that basic civil right, and it's time we had a bill that did. I don't object to a separate bill for the Crown employees in the Province of Ontario provided that bill fits the situation and fits the need. This bill, the original bill and this amendment bill, do not fit any need. It would be better if they didn't have it at all than in the form which we have it.

Mr. Martel: Why doesn't the minister ask them to take a five per cent cut in pay? He might consider that. Ask them to take a five per cent cut in pay.

Mr. Bounsall: Mr. Speaker, there are other disadvantages to this bill. The related sections of the old bill have some amendments in this bill. Section 6, which sets out which terms are negotiable; and section 17, which sets out which items are still exclusively the rights of management, have been slightly improved. The range of negotiable items has been increased slightly. The range of items which are exclusively management rights has been decreased.

However, in my opinion, for good labour relations in this province between ourselves and the employees who work for us and with us, sections 6 and 17 should be dropped entirely and the scope of management rights left to the two parties bargaining to negotiate, as is done in the Labour Relations Act. Certainly, to start off with, we may arrive at a position similar to the one in the bill, but as time goes on, with management rights negotiable, we might very well find that that position changes from one contract to another. Rather than the situation we are caught in, of having to go back into the Legislature and knock out a word or two here and there whever it becomes appropriate, that should be left to the parties to decide, not written in here in legislation. This particular aspect creates one of the other major areas in which the Crown employees find themselves in a second-class position in this province. They're having things particularly picked out and it is said to them, "This is not a matter on which you can negotiate." One of those big matters is their pension arrangements.

Another section of the bill perpetrates the situation where the government can render non-negotiable, matters which are covered by other Acts. That's where they can't make

the pensions negotiable because of the Public Service Superannuation Act. Where there are problems in travelling expenses and living allowance, there is the Financial Administration Act. By that clause, making reference to those other Acts, the government automatically removes those from the negotiating table. That clause needs to have some good thorough looking at in committee, and I'm sure we shall.

Mr. Speaker, there is much more of a general nature and by specific clause-by-clause type discussion that I could say on this Act. I think it would be most appropriate that further words spoken, at least by myself, should be made in committee where we can in a calm, cool, very thoughtful way sit down and look at every "i" to make sure it is crossed and at every "t" to make sure it is dotted.

I will save the rest of my remarks for there, except to say that the government in this amended bill has either failed to deal with or rejected completely the right to strike and it has failed to deal with or rejected completely negotiable management rights, restrictions of civil servants from political activity and numerous other changes which could have been made which have brought the Crown Employees Collective Bargaining Act in line with the Labour Relations Act and the bargaining conditions that most other persons in this province function under and have that right to function under.

The government in this Act has not freed at all the civil servants in Ontario and we will not be content in this party until those civil servants are free. We say to the minister, bring in an Act which, in fact, makes the civil servants free.

Mr. Speaker: The hon. member for Nipissing.

Mr. R. S. Smith: Mr. Speaker, I just would like to make a few remarks on this bill prior to 6 o'clock, and support our House leader in the remarks that he has made in opposition to the bill.

It has become obvious since the passage of this bill originally some 2½ years ago now, when the former minister, Mr. MacNaughton, introduced it for the second time, that it was, in fact, the intention of the government to restrain the civil servants of this province to the point where most of their rights were taken away from them. At that time, the Civil Service Association was in a different position than it is today. It was not effective in its lobby to have put into effect those changes which would have made the bill humane and perhaps, one would say, in keeping with the times in which we live insofar as dealings between employer and employees are concerned.

The two previous speakers have gone over the great number of differences in this bill that still exist with the CSAO representatives. As I understand it, there are 23 different things that they have asked for that are not contained in this bill. It is obvious that it is government policy to deny the rights of other individuals to the civil servants of this province. I would certainly support, as the House leader has indicated, that civil servants within this province should have the right to strike. We would add to that that there are certain areas that we would define as essential services and where that right—

Mr. Foulds: Liquor stores, snowplough people.

Mr. R. S. Smith: That's what the member would define as likely would be essential, yes; but that's not what we would define as essential service.

Mr. Bounsall: Oh, we are glad to know that. The member don't think snowplough people are essential?

Mr. R. S. Smith: No, they are not.

Mr. Bounsall: The House leader defined them.

Mr. R. S. Smith: Is that right?

Mr. Bounsall: Yes, that's fine.

Mr. R. S. Smith: It is all right if I have the freedom of speech, is it?

Mr. Speaker: Order please. Will the hon. member return to the principle of the bill please?

Mr. R. S. Smith: You can't tell whether it is NDP or NPD over there. I can't tell the difference, really.

Mr. Martel: Now the member is calling us fascist. We are doing well. We have both degrees.

Mr. R. S. Smith: There is not much difference; there isn't, really.

Mr. Martel: No, that's right.

Mr. Foulds: The member needs a course in political science as well as in collective bargaining.

Mr. R. S. Smith: Yes, we are not all school teachers like the member. Some of us had to get out and—

Mr. Speaker: Order please. The hon. member for Nipissing has the floor; and will he return to the principle of the bill.

Mr. R. S. Smith: I would indicate to you that I believe the essential services that would be restricted from the right to strike would be those to do with policing, those to do with some hospital activities, and those ot do with some correctional services, where in fact they are a necessity to maintain the well being of the general public as a whole; and I am sure that the Civil Service Association of Ontario would agree with that type of restriction in those areas. In those areas arbitration would have to be used in a proper way in order to facilitate agreement between that type of worker and the government.

The fact still remains that the vast majority of the civil servants in this province should have the right to strike, just as those in private industry have. And as the members to my left have indicated, there are those who are working in liquor stores and in other areas of government service that are really non-essential insofar as the day-to-day living of the people is concerned. And in fact to take away from them the right to strike is perhaps fascist, if that would suit the—

Mr. Martel: The member says that. Bukator used to call us Commie, the member calls us NPD.

Mr. R. S. Smith: I can't tell the difference between the two.

Mr. Speaker: Order please.

Mr. R. S. Smith: There are many other areas of the bill that have been covered, such as those parts which restrict what will be part of bargaining and what will not be bargained for. Of course in that section there are a number of things that must be removed, including the right of the civil servants to bargain their pension plans, the whole question of advancement within the civil service, as well as the questions related to promotion and so forth. There is no question that these things are matters that must be left on the bargaining table, but which this bill removes.

Beyond that, the one other section that bothers all of us, particularly those of us who are politicians—and I presume there are 117 here, whether they like it or not they are called politicians—and that is the fact that civil servants are not allowed to take part in political activity. This is a direct removal of a freedom that I believe any citizen should have unless he is at that level of government where he is in the confidence of the cabinet or of a cabinet minister.

Mr. Laughren: They are the only ones who engage in it now.

Mr. Foulds: Even cabinet ministers aren't in each other's confidence.

Mr. R. S. Smith: Well, that's the problem the government has, there is no question about that. But on the other hand that would eliminate a very few people at the top, who of necessity should not take part in political activity. But as has been suggested by some members, these are the only ones who are allowed to take part in political activity, and they usually do it surreptitiously to protect their employment or to please their minister. But in fact the other 68,000 or 69,000 of the civil service should certainly be given every freedom to take part in the political process of our province and of our country on the same basis as anyone else.

Mr. Speaker, it being 6 o'clock I will contain myself and finish my remarks.

Mr. Speaker: Will the hon. member adjourn the debate?

Mr. R. S. Smith: I won't speak after; you can have somebody else speak.

It being 6 o'clock, p.m., the House took recess.

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No. 168



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Evening Session

Speaker: Honourable Russell Daniel Rowe
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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JANUARY 30, 1975

The House resumed at 8 o'clock, p.m.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT
(concluded)

Mr. Speaker: We're dealing with the second reading of Bill 179. Would any other member like to speak to the bill? The hon. member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Thank you, Mr. Speaker. I really cannot resist the temptation to comment on the Liberal position on collective bargaining for Crown employees. If there's anything that's typical of the Liberal Party in Ontario, it's their position on collective bargaining for Crown employees.

Mr. R. F. Nixon (Leader of the Opposition): It's fairly reasonable, I think.

Mr. Laughren: Yes, well, it certainly straddles all positions.

Mrs. M. Campbell (St. George): We are so glad the member for Nickel Belt is coming around to our way of thinking.

Mr. R. F. Nixon: His colleague agrees with us.

Mr. Laughren: The Leader of the Opposition knows what happens to politicians who straddle all positions, doesn't he?

Mr. R. F. Nixon: I don't know what happens to them but we're going to win. What about the member's party?

Mr. Laughren: That's where he is mistaken. The last member of this Legislature who tried to straddle all positions was the present Minister of Culture and Recreation (Mr. Welch). Do you realize, Mr. Speaker, that to this day he is known far and wide as Supercrotch because of his straddle. There's a very great danger that the Liberal Party is going to end up with the same thing.

Mr. Speaker: Would the hon. member like to speak to Bill 179 to the principle of the bill?

Mr. Laughren: I certainly would, Mr. Speaker.

Mr. R. F. Nixon: Supercrotch, that's a tremendous contribution to the debate.

Mr. Laughren: It describes the Liberal position on most policies.

Mr. R. F. Nixon: What area is the member super in? Would he care to describe that?

Mr. Laughren: Well, when it comes to our position on matters of collective bargaining—

Mr. R. F. Nixon: Let's hear it.

J. A. Renwick (Riverdale): The Liberals know it well.

Mr. Laughren: —there's very little dispute as far as the New Democratic Party stands.

Mr. Renwick: The Liberals know the position well.

Mr. R. F. Nixon: They know all about it.

Mr. Speaker: Order, please. Speak on the principle of the bill.

Mr. R. F. Nixon: The member for Riverdale is getting as touchy as the Premier (Mr. Davis).

Mr. Laughren: The Liberal Party will strike for everything but essential services and then the Liberal Party will decide which are the essential services in the Province of Ontario.

Mr. R. F. Nixon: Which does the member think they are?

Mrs. Campbell: He doesn't think.

Mr. Laughren: I would let that be the result of negotiations.

Mr. R. F. Nixon: Why doesn't he speak to his colleague, because he thinks some are so essential they shouldn't strike.

Mr. Laughren: Well, I agree with him.

An hon. member: Does he start with the police?

Mr. R. F. Nixon: Is he trying to come down and start with firemen and policemen?

Mr. Laughren: No, I am making the point that we believe in the right to strike for the civil service.

Mr. R. F. Nixon: What are the strike issues? Money?

Mr. Laughren: The civil service should have the same right to strike as any other segment of the work force.

Mr. R. F. Nixon: Except for the police, according to his colleague.

Mr. Laughren: Well, I agree with that.

Mr. R. F. Nixon: That's our position. What is the member talking about? Of all the fatuous comments.

Mr. Speaker: Order, please. Will the member for Nickel Belt speak to the Chair on the principle of Bill 179?

Mr. E. J. Bounsall (Windsor West): There's pure gin in that glass of water.

Mr. Laughren: Mr. Speaker, I was only commenting on what previous speakers have said about this bill.

Mr. R. F. Nixon: The member should read the letters from Mr. Shouldice. He'll get more there.

Mr. Laughren: I'm surprised to learn the Liberal Party would take away the right to strike only from the police in the Province of Ontario. That is a revelation to me.

Mr. R. F. Nixon: No, it is more than that.

Mr. Laughren: Yes, it certainly is; it is a lot more than that.

Mr. R. F. Nixon: That's right. Well, does the member want to speak to the Liberals? Go ahead. He might as well.

Mr. Laughren: No, the Liberals are not the enemy in the Province of Ontario. There's no danger that the Liberals will form the next government.

Mr. R. F. Nixon: They're just like the Premier—scared stiff of the Grits.

Mr. Laughren: No, we are not worried at all about the Liberals. Mr. Speaker, if I could direct the remainder of my remarks directly to the bill—

Mr. R. F. Nixon: Good heavens!

Mr. Laughren: I think the hypocrisy of the Liberal position has been outlined once again.

Mr. R. F. Nixon: I thought the member was going to say something.

Mr. Laughren: Mind you, it would be interesting to know just how many positions there are in the Liberal Party in this particular issue.

Mr. R. F. Nixon: How ridiculous!

Mr. C. E. McIlveen (Oshawa): Leave that little fellow alone.

Mr. Laughren: How many positions are there on this particular issue?

Mr. R. F. Nixon: There is just one; and now that the NDP have changed, theirs is the same.

Mr. McIlveen: Leave that little fellow alone.

Mr. Laughren: Are there the same number of positions as there were on Spadina? How many positions were there on that one, Mr. Speaker? It is truly enlightening to be a part of this chamber and to have the Liberals come out with a new position every day.

Mr. R. F. Nixon: The member certainly is filling the chamber with his speech.

Mr. Bounsall: There are more coming in all the time.

Mr. R. F. Nixon: Are there really two other NDPs here?

Mr. Laughren: Oh yes. Don't—

Mr. Speaker: Order. Would the member for Brant give the member for Nickel Belt the opportunity to speak?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Throw him out, Mr. Speaker.

Mr. Laughren: Mr. Speaker, any time there are four Liberals in the House to two New Democrats, the odds are even. We don't worry about numbers here.

Mr. Speaker, this bill to amend the Crown Employees Collective Bargaining Act is long overdue. We think it's inadequate, and in view of the fact that during the last six months—

Mr. R. F. Nixon: There is a straddling statement if there ever was one.

Mr. Laughren: Mr. Speaker, if the leader of the Liberal Party wants to continue this debate in terms of the Liberal Party's position, I'd be quite happy to do so.

Mr. R. F. Nixon: Perhaps I will, perhaps I will.

Mr. Laughren: I hope the leader of the Liberal Party will stand up later and outline just what areas of the civil service are to be given the right to strike.

Mr. R. F. Nixon: I have every intention—if the member ever finishes.

Mr. Laughren: Well, that will really be interesting. Of course, he will reserve the right to change that—

Mr. Speaker: Would the member for Nickel Belt, rather than speaking to the Liberal Party, like to speak to Bill 179?

Mr. Laughren: Yes, I certainly would.

Mr. Speaker, it was truly strange during the past six months or eight months, or a year even, to see the government go through those agonizing negotiations with the civil servants, knowing all the time that they were going to bring in amendments to the Crown Employees Collective Bargaining Act, and at the same time conducting those negotiations as if they had no intention of changing it. That was truly remarkable—

Hon. Mr. Winkler: On a point of order, Mr. Speaker, let's be honest. I am being very serious when I say that the member knows that we were requested by the CSAO not to bring in the amendments, and we complied with that request.

An hon. member: That's right.

Mr. Laughren: Mr. Speaker, I was talking about the way in which those negotiations were conducted—

Mr. R. F. Nixon: The member should start again. This is a mess.

Hon. Mr. Winkler: The member made a direct accusation.

Mr. Laughren: I know the way the negotiations were conducted, and so does the minister; they were reprehensible and a disgrace to the Province of Ontario.

Hon. Mr. Winkler: The member has got to be joking.

Mr. Laughren: Mr. Speaker, I think the depth of dissatisfaction of the employees of the Province of Ontario is such that it should have been clear to this government that any changes or any amendments to the Crown Employees Collective Bargaining Act should have included some very fundamental changes, and this bill does not include those fundamental changes. The Chairman of the Management Board surely understands what those fundamental changes are. I refer specifically to section 17 of the old Act, or section 8 of the amended Act.

It is as though this government does not understand that there is a new era in negotiations with the public service—not just in this province but in this country—and that times truly are changing. The fight is going to continue. This Act to amend the Crown Employees Collective Bargaining Act isn't going to change that. The civil servants are going to remain dissatisfied with the kind of contracts they get. They are going to remain dissatisfied with the way negotiations are conducted. And they are going to remain dissatisfied with the kind of legislation which troubles their employment.

When the battle does occur—as it is surely to occur in the months and years to come—it is not going to be the integrity of the CSAO that is in question. That is not what is going to be questioned by the people of Ontario. It's going to be whether or not the legislation is just.

It's not going to be the demands of the civil service association that are going to be questioned—whether they are extravagant or not—it's going to be whether or not the government of the Province of Ontario is conducting those negotiations in a fair and just manner.

Just as the Premier of the Province of Ontario is judged, just as the cabinet as a whole is judged, that is the way the negotiations of this government are going to be judged. That's the way the negotiations of this government are going to be judged by the people of the Province of Ontario.

And never again, Mr. Speaker, will the government be trying to negotiate agreements with a Caspar Milquetoast in the Province of Ontario. There is a pretty big difference between Caspar and Jake, and I suspect that the Chairman of Management Board had that driven home to him very clearly during the past year.

This bill does not satisfy the civil service or their bargaining agent, and it should be obvious to him why it doesn't. There is going to be ill-tempered bargaining that occurs in the months ahead. There is nothing in this bill that will remove that aspect, to remove that feeling by the civil servants and their bargaining agent.

I'm not suggesting, Mr. Speaker, that civil servants or anybody in the public sector can make unlimited demands on the public purse. That's not what I'm saying at all. But I am saying that the civil servants in the province should have a much larger, much louder voice in the kind of conditions under which they work and the kind of legislation which governs them and their employment.

Section 8 of this bill is as paternalistic as the old section 17 in the bill and it's bound to create and continue the kind of resentment and even contempt for the legislation that civil servants presently have.

It is as though the government did not realize that the winds of change are whistling all around it. We now have a work force and we now have a civil service that is better educated than ever before. They have increased expectations of what they can achieve on their job. They understand very clearly that when they are denied the right to bargain for those conditions which affect the work environment, there is a denial to them of personal growth on the job and there is a waste of human potential for those people on the job.

Until this government realizes that it is a tremendous waste of human potential, then it is really through in terms of good-faith bargaining in the Province of Ontario. It is through in terms of getting from its civil service their maximum potential.

The civil service has served this government extremely well in the last 30 years—extremely well. I think this government is throwing that away. It doesn't make sense.

The civil service in the Province of Ontario has every right to demand an increased say in the conditions under which it works. They have every right to have an increased say over the things for which they bargain under their contract. When this government removes that right from the civil service, then it is doing them an injustice. In the end, it is doing itself an injustice, and it is doing the people of Ontario an injustice by doing that.

It seems as though the government is traumatized by the thought of a strike in the public sector. Well, I don't think the public is. I certainly have confidence, as I suspect most of the public does, in the public service that in the event of a dispute that ends in a strike there will be the kind of responsibility—without taking the right away from them—to maintain those essential services whose withdrawal might be a threat to public health or safety. I have every confidence in the civil service in the Province of Ontario to do that. But if the government says to them, "We don't have confidence in you to do that," then it is taking something away from those civil servants, and it is not necessary. The government need not do that.

I don't believe that the population at large will believe the government when the government says, "We are looking after your taxes. We are being fiscally responsible. You pay for the delivery of those services and we are going to ensure that they are delivered." I don't believe that the public buys any more the argument that our civil service has security, that therefore they should have dedication and therefore they should not have free collective bargaining in the Province of Ontario. I don't think that argument washes any more.

It may wash with a certain segment of the population that is anti-labour, but I don't think it washes with the population at large. Surely more and more people in our society are saying that while we want the delivery of those services for which we pay, we don't want it at the expense of the people who deliver it having rights taken away from them—the rights that should accrue to everybody in a free and open society; namely, the right to withhold their labour if there is no threat to public health or safety.

I don't know how the minister expects to convince the population at large that there is that great danger to them when we have a responsible civil service. I haven't seen this example of irresponsibility on the part of the civil service and I don't think the minister has, and I don't think he can give me any example of when they have been irresponsible. How does he expect the civil service to buy his argument of dedication to public service if it's dedication to public service without dignity? And how does he expect the civil service, and the population at large, to have a dedication to an employer that is paternalistic, an employer that is arbitrary and an employer that is blatantly anti-labour?

I hope, Mr. Speaker, that the Crown employees in the Province of Ontario fight this legislation. I hope that they will continue to do battle with the government because of this oppressive legislation. I wish that more of them could be here to see this government in action—not necessarily just tonight; I am just a bit player in the whole scene—but to see their government and their employer in action on all manners that deal with labour legislation. That's what we are talking about when we talk about the Crown

Employees Collective Bargaining Act; we are talking about labour legislation.

Mr. Speaker, we shall oppose this bill. We shall oppose it because it is anti-labour, we shall oppose it because it is paternalistic, we shall oppose it because it is arbitrary and we shall oppose it because it is anti-democratic and offensive. I would say to you, Mr. Speaker, that this bill contains an essential ingredient that is in any Tory legislation dealing with labour negotiations, and that has to do with taking away the rights of working people in the Province of Ontario. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Brant.

Mr. R. F. Nixon: Thank you, Mr. Speaker.

Mr. Laughren: Now we get another half-dozen positions.

Mr. R. F. Nixon: The bill before us has been examined carefully by our caucus, and my two colleagues expressed our position in opposition to it before the dinner hour. I wanted to reinforce that position with my own comments and thoughts, and it is not my intention to give any great historical development of it since I know, sir, in your position you want us to deal with the principle of this bill. We are very much concerned not only with what it contains but with what it omits.

Let's begin first with the matters which are directly within the confines of the amendment itself and the provisions put forward. Certainly the government has acceded at least to some of the requests of the spokesmen for the Civil Service Association in bringing forward this bill, but it hasn't touched the basic concerns that have been expressed not only by those who are employed by the government but those who are in a position to speak for them.

There still have been those proscriptions which interfere with the employees of the province in negotiating their pension settlements. There are very hesitant and timid steps, indeed, in opening up the whole ambit which would permit those people employed by the province to negotiate in any sort of an open way on a basis of the conditions of work. The government still has a tremendously large percentage of the total number of employees who are classified in those areas of employment and responsibility which, according to the bill, do not permit them to actively participate in the civil service organization or belong to it in that manner.

We believe, and in this the member for Nickel Belt is entirely correct, it is necessary to have the powers of compulsory arbitration apply to certain groups within the employees of the province. We believe that for the safety and health of the community it should be expected by those people who join the provincial police force, who accept responsibilities in our hospitals, but particularly in the Ontario hospitals for psychiatric care, and for employees in jails as well, that their services are necessary for the order and health of the community.

Now we took that position, certainly, many years ago. I can remember a great debate among our members when the government brought forward compulsory arbitration legislation for hospitals. We supported it at that time, and I was very much struck by the position taken by the NDP, and very ably expressed of course, that under no circumstances would compulsory arbitration be permitted. I am interested in that aspect, because as a matter of fact we could do away with compulsory arbitration entirely for police, hospital workers, everybody. But I think to be fair, at least expressing the view that I hold and speaking on behalf of my party, suppose we were to say to the police: "Fine, you have the right to strike along with everybody else." I would say it is unfair to say that, because if in fact they went on strike and I had responsibility in government or had a seat in this House and was called upon to judge the responsibility of others, I would have to vote to prohibit such a strike from taking place. Now I would hope that in exchange for losing those rights, that the normal course of compulsory arbitration would in fact be advantageous to the police, as it has been in many of the arbitrations handed down.

The argument breaks down a bit when applied to ordinary community hospitals—and we supported the government in their bill to impose compulsory arbitration on all hospital workers. I personally have felt embarrassed about that support on more than one occasion because the ancillary advantages that are supposed to counterbalance the loss of the right to strike have not been there. The Chairman of the Management Board who is present, knows precisely what I mean, that the government was not even prepared to provide the money that was ordered to be paid by the arbitrators.

Now that has changed. The people working in the hospitals, while I am not prepared to say they are fairly paid at the present time, have had quantum increases in their pay over the last few months which have neces-

sitated supplementary estimates approaching $250 million in this House. But I want to make this point, that we have taken the position, as has been described by the hon. member for Nickel Belt, that we are prepared to support a government which takes a stand imposing compulsory arbitration on those employees whose services are, in the judgement of the government, necessary for the health and safety of the community.

That judgement has got to be subjective. There's no stone tablet coming down from the cloud saying the world ceases to turn if these people stop working; we know that's true.

In Quebec, whatever the law is, the firemen stop work. As a matter of fact they sabotage those people who are attempting to perform their duties. The people were outraged. Yet; so they had a few fires! There are those who are prepared to say: "My God, we can't interfere with their individual liberties, when all there are are a few houses to burn down."

I don't want to state that in an extreme way. I believe we are not being fair to those people who work for the government if we say, fine, you have the right to strike, when we know that if they do strike we are going to force them back to work right away. Because I don't believe the community can get along without police protection, fire protection and the services, not of everybody in the hospitals but certainly of those in Ontario hospitals which come directly under our jurisdiction, and those in the psychiatric hospitals in particular.

I had understood that the NDP position was to say everybody has the right to strike. Does the member remember that? His leader said it very clearly in the elevator strike situation. One may say: "Well, what's necessary about—"

Mr. E. W. Martel (Sudbury East): He wasn't even here.

Mr. R. F. Nixon: Well, somebody said it. The NDP certainly voted against it.

Interjections by hon. members.

Mr. Bounsall: Sure we voted against it.

Mr. R. F. Nixon: All right, let me make this point.

Interjections by hon. members.

Mr. Bounsall: We did not say everybody has the right to strike.

Mr. R. F. Nixon: This is the second point.

Mr. Bounsall: Look it up.

Mr. R. F. Nixon: We very strongly believe that the government and this House has, in the last analysis, the responsibility to put an end to a strike which is obviously not going to be solved by any other means.

Mr. Bounsall: The member sure doesn't believe in collective bargaining to its final conclusion.

Mr. R. F. Nixon: Well, what is its final conclusion?

Mr. Bounsall: The Leader of the Opposition is not prepared to let it go that far.

Mr. R. F. Nixon: The hon. member who is interjecting now—and I've listened to his remarks and I thought they were quite fair—once he got around the yelling and hollering, there were some quite important things he was saying, because he said he was prepared to accept the concept that certain people working for the government of this province performed essential services. Now that is a breakthrough on the part of the thinking of the NDP.

Mr. Bounsall: Police and firemen. We have never denied police and firemen should not strike.

Mr. R. F. Nixon: And I don't want to try to make a cheap political point, but it is a breakthrough.

Mr. Bounsall: We have never denied police and firemen should not, let the record show that.

Mr. Speaker: Order please, order. The hon. member for Brant has the floor.

Mr. R. F. Nixon: And it's a welcome change because it's certainly—

Mr. Renwick: Don't waste our time, debate the bill.

Some hon. members: Oh! Oh!

Mr. R. F. Nixon: I must be making a telling point.

Interjections by hon. members.

Mr. Renwick: We will state our position, let the Leader of the Opposition state his

Mr. R. F. Nixon: Evidently the member lost the argument in caucus again.

Interjections by hon. members.

Mr. Renwick: Don't waste our time.

Mr. R. F. Nixon: He always gets excited when he's on the losing side. I hope to God there isn't a losing side in this, because I think actually we could spend the evening telling each other how bad the Chairman of the Management Board is in his concepts as far as this is concerned.

Mr. Renwick: He's agreeing with the member. He doesn't have to tell him, the minister knows that.

An hon. member: He nods his head in agreement.

Mr. R. F. Nixon: You know, Mr. Speaker, I was particularly appalled when I saw him—was it on New Year's day—announcing the settlement and saying: "The Leader of the Opposition, of course, would have given them 30 per cent," or something like that.

I really thought that the Chairman of the Management Board showed some aspect of irresponsibility in that. Because, No. 1, he was wrong. And, No. 2, he was trying to make some kind of cheap political capital either of the bad information he had or his misrepresentation of it, I don't know which. It's not particularly important anyway, but I just say to you, Mr. Speaker, that it certainly was unworthy of the gentleman who was nodding a moment ago and is now doing something else. I don't know what he's doing.

Interjections by hon. members.

Hon. Mr. Winkler: Well, the Leader of the Opposition and he would waste our time, and I will agree with that.

Mr. Speaker: Would the hon. Leader of the Opposition like to get back to the bill again?

Interjections by hon. members.

Mr. R. F. Nixon: All right, we'll continue now that we've cleared away some of those things.

But there has been no change in position. We believe in compulsory arbitration for those people whose services are essential to the health and safety of the community. We have not changed, we still believe in that.

If, in fact—and I don't want to sound presumptuous—the government were to change sometime in the dim and distant future, we would bring that in at the first opportunity. We would say to those people in the police and others: "You do not have the right to strike," and we would be prepared to apply the sanctions in the law in that regard.

The other employees, important though they be, would have the same rights as anybody else, as long as their contract was under negotiation and not in force, to withdraw their services. And there would be a delay in sending out the birth certificates and, as I mentioned earlier, the gas tax rebates and all the many important things that are carried on by the 50,000 people who work in the offices and work on behalf of the government and the people of the Province of Ontario. There would be tremendous pressures if they withdrew their services. The community and the taxpayers would suffer. But, obviously, they must have that right.

I would say to the Chairman of the Management Board that people wiser than either of us have said laws like the present one do not stop strikes, they simply make them illegal. And I think as well—

Hon. J. W. Snow (Minister of Government Services): Who is the member?

Mr. R. F. Nixon: I am quoting the gentleman who is considered to be the best—

An hon. member: Goldenberg.

Mr. R. F. Nixon: Yes, Carl Goldenberg. And he's probably wiser than the three of us—maybe the three of us put together, I don't know about that.

Mr. E. R. Good (Waterloo North): A man the government should have hired on more than one occasion.

Hon. Mr. Snow: I thought it was Pierre Trudeau who said that.

Mr. R. F. Nixon: Ah well, he's wiser than the three of us put together too, but that's another matter.

Mr. Martel: The Leader of the Opposition sells himself pretty cheaply.

Mr. R. F. Nixon: In saying this, I would hope that the government would not consider this particular bill their answer to the problems they have experienced in recent months. They are dealing with a well-organized, strong force in the community. It is a force which I presume is prepared to meet the government of the day within the next few months with all of the details of the changes in the economy and, on behalf of their workers, bargain once again with the government of the day.

But I would suggest to you, Mr. Speaker, that if the government does not change the law in its present form, that they will eventually, either this year or at some other time, assuming they continue in office, face the problem of what would be in their terms an illegal strike.

I don't know what the answer to that is. Is the minister going to put them all in jail? Is he going to fine them all? After all, the law was broken this fall, as he well knows. The law says no one leading the civil service must even advise a strike, let alone hold a strike. The minister has got it all in there; he has got all the mechanism to scare the wits out of them. And they scared the minister!

Hon. Mr. Winkler: No they didn't.

Mr. R. F. Nixon: Oh yes they did.

Hon. Mr Winkler: Not once.

Mr. R. F. Nixon: And isn't it a shame, Mr. Speaker, that our negotiations—

Hon. Mr. Winkler: Not once.

Mr. R. F. Nixon: —have to be undertaken in that particular atmosphere. I suppose we can't legislate the frame of mind, either of the people representing the civil servants—or the employees; I think we've got to get away from that term civil servants. Whether they consider themselves freed or not, we have got to get away from that word servant, because I think it has connotations that are not proper.

Mr. Laughren: Under the present legislation it is appropriate.

Hon. Mr. Snow: Public servants.

Mr. R. F. Nixon: All right, maybe public servants sounds a little better, I don't know. But I think employees of the government is what they are and that's the way they should be referred to in our statutes.

So I would just say to you, probably to repeat the warning that I put to you, Mr. Speaker, two or three years ago when the original bill came forward piloted by the former Treasurer. The people who support this bill are going to regret it. Now maybe they don't regret it yet, but I submit that they will.

We are now in a time of some peace with regard to those people who are employed by the government. It will be some weeks or months before they return to continue negotiation. I would just suggest that we ought to designate those who are essential and say to the others they have the same rights as anyone else. Make that clear in the law.

I trust that the good sense of everyone is going to make a strike possibility just academic. But I would say to the minister that if he leaves the law as it is, eventually such a strike is going to take place. It will be, under this law, an illegal strike. And I am damned if I know what he is going to do about it, because then the Legislature can't come back and solve the situation. The government has not got enough cops to solve it; and I do not believe that it can use the coercion that is presently in the penalty clauses of the bill in any effective way, nor should it.

So I feel there are many substantial changes that are going to have to take place in the labour laws of this province. This bill, as an amendment to the original one, does not encompass the possibility of all of those changes.

I felt that it was necessary to reiterate our position, Mr. Speaker, because we feel that it is a sound one and one that the government of the day ought to accept. We cannot support the bill in its present form and we will have to divide the House when this debate is completed.

Mr. Speaker: The hon. member for Port Arthur.

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker. I just want to speak quite briefly on the bill. I rise to oppose it because I, for one, feel very strongly in favour of full and free collective bargaining. Instinctively, I happen to sympathize and favour the working men and women of this province, whether they are railroaders, pulp mill cutters, teachers or civil servants. This bill does not open up the collective bargaining process in any meaningful way to the vast number of civil servants who not only desire it but deserve it.

This party supports the right to strike; and not in the blind or mindless way.

The right to collectively withdraw service, labour, is one that has built up very slowly in North America over the last 150 years, after some very bitter struggles. If a person earns his living solely through his labour, whether that labour is physical or intellectual, that is the only thing that he has to bring to the marketplace, and surely he should have the right to withdraw that in conjunction with his fellows when, collectively, they have agreed to do so.

The other speakers in my party have expressed that viewpoint eloquently and adequately and I don't intend to belabour it. I would like for a moment though, to explore one other aspect of the bill. That is the denial of political rights to public servants, and especially to community college teachers.

I find it really quite shocking that in this day and age this bill does not change the clause in the original Bill 105, An Act to Provide for Collective Bargaining for Crown Employees. The title itself in that original bill is a misnomer to say the least. It's laughable. That Bill 105 is surely an Act to provide for collective begging for Crown employees. But the fact that within the general legislation, after we are finished with the government's—what do we call what the government is doing?—it's not a grandiose gesture; it's a minor, insignificant gesture in bringing in these amendments. But after we are through with this gesture it will still mean that civil servants, and that includes community college teachers, will not be able to donate to or participate in political activity.

I want to just explore the community college teacher aspect of this for a few moments if I might, Mr. Speaker, and knowing your wisdom and breadth of decision I know that you will allow me to do so. We know that throughout this province community college teachers do belong to political organizations. I know one who is the president, not of an NDP riding association, but of a political party's riding association in my own area. He does so quite publicly, quite openly. The law is not enforced.

It's not enforced, Mr. Speaker, because it is not enforceable. In this case the law, as Charles Dickens so well said, is an ass. We as legislators should not put into effect a law that we know cannot be enforced; or even worse, Mr. Speaker, we should not put into effect a law that we will not enforce. I suggest to you that that weakens the very principle of law and the very principle of legislation.

We have no bar in this province to university teachers belonging to, actively campaigning for and contributing to political parties. We have no law in this province that prevents elementary or secondary school teachers from participating fully in political activity. Why, in God's name, do we have legislation —at least in terms of a law which is not enforced—on the books which continues to prevent community college teachers from fully participating in political activities? It is frankly injudicious of us, illogical of us; it is senseless of us.

So, Mr. Speaker, I rise to oppose the amendment—Bill 179 of 1974—because it does not go nearly far enough in giving to the public servants of Ontario, including the community college teachers, the rights they fully deserve. Thank you very much.

Mr. Speaker: Is there any other member who wishes to speak on this bill?

Mr. D. M. Deacon (York Centre): Mr. Speaker, I rise to oppose this bill along with my colleagues. I oppose it because I would like to see us attain in this province the degree of co-operation between those in charge of responsibility of government and those who work for it.

I was really surprised when the minister suggested that this bill might be an improvement, and hopefully provide an improved atmosphere for negotiations because it would provide for compulsory arbitration.

Where would the minister ever find evidence of compulsory arbitration in the legislation improving the atmosphere for negotiations? Every record that I've seen indicates that is one thing that doesn't result. It results in a failure of the negotiating parties to really come to grips with the issues because they feel in the end they might as well leave it to the arbitrator.

That is playing Russian roulette. That is surely abdicating responsibility which these parties have been elected to assume by whoever has that responsibility.

Surely the improved atmosphere can be attained by removing many of the causes of the problems, the causes of irritation in the negotiations. Many of those irritations are in the original bill this is amending, and this is doing little to alleviate them.

Surely the delay in negotiating procedures, the refusal of the government to consider certain areas of irritation to employees as negotiable; surely the mistrust of the grievance procedures; surely the illogical, inconsistent and unreasonable restrictions on activities and the rights of those who are employed by this government; surely these are the things which destroy the good atmosphere, the good relations this minister states he seeks to attain.

I agree completely with my leader's position—which has been a very consistent position—that we feel those who work for this government should have the right to withdraw their services except in very carefully defined categories where the safety and health

of the people of this province are definitely affected; and they should be as few as possible.

There is no reason those who are doing the normal work of government, so much of which is not in the essential areas, shouldn't be in a position to negotiate from a position of strength. I suggest to the minister, if he has time to listen, that he examine those categories and set them out in a revision to this bill which will be clearly equitable for those who are affected.

Insofar, Mr. Speaker, as the methods of negotiation are concerned, we have seen examples of moves by other governments; the government of Alberta, now the federal government and other government bodies, are moving to this process called "final-offer selection." Final-offer selection is a process whereby before negotiations begin the employees decide whether or not they will abide by compulsory arbitration. The compulsory arbitration is done at their decision and their will and on the basis of the two parties negotiating to a point that is decided in legislation ahead of time as to when the arbitrators will move in.

The arbitrators' role is not one to try to find middle ground but the arbitrators' role is to decide which of the two parties' final positions is more reasonable and more justified on any outstanding points at the time negotiations are to cease and the arbitrator take over. This results in negotiations taking place in a completely different atmosphere.

Last year we recommended this at the time of the teacher disputes. We felt that this was a different approach to take in a controversy that seemed too irreconcilable. I'm pleased to see now that since our recommendation this approach has been adopted in the negotiations in the Hamilton-Wentworth area and up in the Soo. It did result in what was described by the Ontario Teachers' Federation as one of the most satisfactory atmospheres that had ever been negotiated in, because they knew that it was reason and a justified case in all issues that would result in the award going to the party that had the more reasonable of the two positions.

I urge the minister to take this approach. Throw out this idea of everyone having no right to strike and no right to withdraw their services regardless of what type of service they are providing. I urge this minister to move toward the other approach which has been found in other jurisdictions which have attempted it to be very satisfactory; even in our own jurisdiction it is now being proved to be that. Break this new ground in an area that will bring much more reason and much less likelihood of withdrawal of services, and I'm sure in the long run it will result in this province leading the way, as it has in some categories, hopefully in new labour atmospheres that we are all proud of.

I urge the minister to change this bill in that regard; otherwise there is no way that we can support it.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, I rise to speak in opposition to the proposed bill. I certainly think that the atmosphere of the relationship of the government to the Civil Service Association and the other relatively small groups charged with responsibility for negotiating on behalf of the civil servants has changed substantially during the time from 1972 to 1974.

Indeed, we in this party at the time of the passage of the original Crown Employees Collective Bargaining Act in 1972 were gravely concerned as to whether the CSAO would survive and have any vitality, because it appeared to us to be a very moribund and apathetic association which had allowed the rights of the members of the civil service of Ontario to deteriorate to a point where it was simply a question whether the CSAO would continue in a relatively formal existence or whether or not it would be rejuvenated.

There was a difference between the CSAO which confronted the government of the Province of Ontario during the negotiations toward the end of last year and the CSAO which was in existence at the time that the government under the then Treasurer, the former member for Huron, foisted upon the civil service an Act which was quite iniquitous. Indeed, I think it was one of the proudest moments of this party that throughout that debate both here and in committee the New Democratic Party fought consistently, indeed alone, indeed in many instances without the support of the CSAO, either physically being present or supporting the arguments which we made.

Mr. R. F. Nixon: Is the member suggesting the Liberal Party voted for the bill?

Mr. Renwick: No, I'm talking about the tone and substance of the debate that took place.

Mr. R. F. Nixon: Oh, the tone.

Mr. Renwick: Yes, that's right.

Mr. R. F. Nixon: Just as long as there is no misunderstanding.

Mr. Renwick: There is quite a bit of misunderstanding. We don't need, and really this isn't the night that we want—

Mr. R. F. Nixon: The member said his party fought alone. He didn't want the record to be wrong, I know.

Mr. Renwick: —the kind of erratic flak which the leader of the Liberal Party is so prone to these days.

Mr. R. F. Nixon: That happens to be factual.

Interjection by an hon. member.

Mr. Renwick: Mr. Speaker, I promise not to be deflected again by the member for Brant.

An hon. member: Deflected?

Mr. R. F. Nixon: Not even by the facts.

Mr. Renwick: Mr. Speaker, I want the House to know, and there is no record in committee, but the members who stood in committee—

Interjection by an hon. member.

Mr. Renwick: —to fight against the principles and the clauses of the bill that is now before us for amendment, were the members of this party and the members of this party alone, as has always been the case—

Mr. R. F. Nixon: That's right; all virtue with his party and mostly with him.

Mr. Renwick: —in most instances of important legislation.

Mr. R. F. Nixon: That halo around the member's head is blinding.

Mr. Renwick: The Liberal Party speaks in the House on the second reading of the bill to debate the principle because there they don't really ever have to deal with the nitty gritty of the problems that are encompassed by the legislation.

Mr. P. D. Lawlor (Lakeshore): The angels are a little tired of having us on their side.

Mr. R. F. Nixon: I am getting tired of the nitty gritty politicians.

Mr. Renwick: But in the committee, when the questions of detail and the specific provisions of the Crown Employees Collective Bargaining Act were debated and we faced the government with what they should be, we stood alone. There was no support, either from the Civil Service Association at that time or from the Liberal Party.

Mr. Martel: Right on.

Mr. Lawlor: That's the truth. I was there.

Mr. Renwick: No question about it.

Mr. Lawlor: We stood alone.

Mr. Foulds: And he's a gospeller.

Mr. R. F. Nixon: And the member was Joshua to his Moses.

Mr. Lawlor: I never did get to the promised land.

Mr. Renwick: If the House would like me to arrange to continue to speak until my colleague, the member for Wentworth (Mr. Deans), returns on Monday from Cuba to reinforce the points that I made, I'll be glad to do so.

Mr. R. F. Ruston (Essex-Kent): He's cutting sugar cane.

Interjections by hon. members.

Mr. Renwick: After all, it's only another 1½ hours tonight and three hours tomorrow and my colleague from Wentworth would be here.

Mr. R. F. Nixon: Listen, the member would talk beyond the return of his colleague.

Mr. Renwick: And we would have no difficulty.

Mr. Deacon: No, they wouldn't.

Mr. Renwick: Of course we wouldn't.

Mr. R. F. Nixon: His return will probably not cut the member off.

Mr. Renwick: I thought perhaps it was worthwhile recalling in the debate the circumstances under which the government originally foisted this bill upon the civil service of the Province of Ontario, apparently on a weak and apathetic and moribund association.

I am delighted at one of the things which has pleased this party—the fact that the leadership of the Civil Service Association has changed in its calibre, in its ability, in its skill and in its knowledge of what is required to deal with the second most powerful government in Canada to try to restore some measure of the rights which were lost to the

civil service of Ontario over many, many years of Tory rule. It's right within that context that the government of the Province of Ontario itself produced, as a result of its attitude over the years, the relatively intransigent position of the Civil Service Association of Ontario.

I say "relatively" advisedly, because if the government wants an intransigent position, it can continue to do what it is now doing, both in negotiations and in this Act, and I will have to drop the word "relatively," because the civil service of the Province of Ontario will be intransigent the next time around. I'll come to that in a moment.

The philosophy of the government has been fairly clearly expounded by the Chairman of the Management Board since those negotiations were settled. I'd like to spend a little bit of time talking about my perception of the chairman's philosophy embodied in the amendments in this bill and the whole field of Crown employees' collective bargaining. I think it is fair to say that we can confront the government in this party because there is, on occasion, virtue in consistency. Not always; not always. But this party has stood on each and every occasion as opposed to the principle of collective bargaining in every instance in which the legislation has come before the assembly.

Mr. R. F. Nixon: Does the member want to correct that statement before he goes any further?

Mr. Foulds: Compulsory arbitration, not collective bargaining.

Mr. Renwick: Pardon?

Mr. Foulds: The member said collective bargaining when he meant compulsory arbitration.

Mr. Renwick: I am sorry, I'll change it. Thank you. We stood opposed to compulsory arbitration in each and every instance in which that issue has come before this assembly; we stood opposed to it. I may be repeating what some of my colleagues said because I didn't have the privilege of hearing them before dinnertime.

Mr. Ruston: He just repeats himself.

Mr. Renwick: We stood opposed on the Toronto Hydro strike many years ago. We stood opposed to the hospital disputes arbitration bill. We stood opposed to the compulsory arbitration forced in the elevator strike. We stood opposed on the Toronto Transit Commission strike and we stood opposed on the question of the endeavour to force the teachers into a position where they would have to accept the equivalent of collective bargaining. That has been our position and that's been our clear position on each and every occasion.

Mr. Good: Until tonight.

Mr. Renwick: I want you to understand that the members of this caucus deal with the legislation which is before us, Mr. Speaker.

Mr. R. F. Nixon: Tell us what happened in caucus with Nickel Belt.

Mr. Renwick: We are not engaged in prejudging issues which have not arisen in the Province of Ontario, as to whether or not or what we would do in specific instances if we were faced with the question relating to what can be called the so-called penultimate essential services in the province. The Liberal members know what they are. They are always waving the red flag. Where do you stand on the police? Where do you stand on the firemen? They are the penultimate ones.

Mr. R. F. Nixon: His colleague made it clear.

Mr. Bounsall: It has always been clear.

Mr. Renwick: The one area where we agree with the Chairman of the Management Board is that we don't think that the Widget Manufacturing Co. is an essential service, but after that we part company with him on his definition of essential services. Every time the Chairman of the Management Board wishes to deal with the question of essential services, he uses the diminutive term about the Widget Co. I have never had time to look up in the dictionary to find out what a widget is but I assume it is something in the nature of a yo-yo manufacturing company. I assume, although it may be questionable, that we could do away with yo-yos and not suffer from it as a point of view of an essential service.

Mr. Deacon: The member was pretty good at those things in school.

Mr. R. F. Nixon: He would destroy the Tory party.

Mr. Martel: There is a lot of wood over there.

Mr. Renwick: I would like to deal very briefly, because I think it need only be dealt with briefly, with the strange position that

is taken by the leader of the Liberal Party. The leader of the Liberal Party says in substance that there is a reserve right in the legislative assembly to end a strike in any area.

Mr. R. F. Nixon: Right.

Mr. Renwick: Now we don't disagree with that. We don't disagree with that but somehow or other we think that what the leader of the Liberal Party means is that if the government of the day decides that it is time in its judgement to bring a strike to an end by legislating the men back to work and imposing compulsory arbitration, the leader of the Liberal Party believes that it is our obligation, the 117 members of the assembly, to stand up and vote unanimously in favour of it.

Mr. R. F. Nixon: No, not necessarily. We can be as inconsistent as the member is.

Mr. Renwick: No, just a moment. What he is saying in substance and what he said tonight, and Hansard will show it, is that the ultimate power of the legislative assembly should be exercised by unanimous vote. All right. Let him just look at what he said because his concern about democratic rights always disappears at that point in time when he talks about—

Mr. R. F. Nixon: Why argue this? So that the hon. members don't have to spend 20 minutes arguing about what I didn't say, obviously the majority rules. It has nothing to do with unanimity.

Mr. Renwick: Obviously the Leader of the Opposition has rediscovered the basic principle of this assembly.

Mr. R. F. Nixon: I never forgot it.

Mr. Renwick: That's right. A few minutes ago he forgot it, because he said in substance that in such a situation as when the government calls the Legislature into session to legislate out a strike in what the government determines to be an essential service, all of us are supposed to stand up and bow.

Mr. R. F. Nixon: I didn't say it.

Mr. Renwick: That's right.

Mr. R. F. Nixon: I didn't mean it. I didn't say it. That's wrong.

Mr. Renwick: That's what he asked.

Let me deal with another one of those strange illusions of the Liberal Party—final offer selection. If the hon. member for York Centre—

Mr. Deacon: The member is going to go after this again, too, eh?

Mr. Renwick: If the hon. member for York Centre continues to say it long enough, my guess is it'll probably become one of the fundamental policies of the Liberal Party.

An hon. member: It already is.

Mr. Renwick: It needs only repetition because there are very few members of the party who repeat one theme long enough for it to become policy; and the hon. member for York Centre has reiterated sufficiently that it's now part of the policy.

Mr. Ruston: Is the member for Riverdale agreeing with the member for Nickel Belt?

Mr. Renwick: My guess is when they go down to Windsor that final-offer selection will be put forward by the hon. member for York Centre as one of the policies of the Liberal Party in the field of collective bargaining.

Mr. R. F. Nixon: Shouldn't he have the right to say what his views are?

Mr. Renwick: Yes.

Mr. R. F. Nixon: Should we all stand up glassy-eyed like the member?

Mr. Renwick: Of course.

Mr. R. F. Nixon: These are the essential services.

An hon. member: Is the Leader of the Opposition disagreeing with his colleague already?

Interjections by hon. members.

Mr. R. F. Nixon: Is the member for Riverdale prepared to tell us about how his party's policy has changed over the last few hours?

Mr. Renwick: As a matter of fact, I think I will talk through until the member for Wentworth gets back here on Monday.

Mr. Ruston: He'll straighten him out.

Mr. R. F. Nixon: The member for Riverdale won't quit before then anyway.

Mr. Renwick: The interesting thing is that if one looks at final-offer selection, the proposals for final-offer selection have always

come from the elitists in the society. When they come from the Beland Honderichs—

Mr. Deacon: I didn't realize that Val Scott was considered as one of the elitists.

An hon. member: Yes he is, sure.

Mr. Renwick: When Beland Honderich decides that he's got the solutions to the problems of labour-management relationships, and the Liberal Party adopts them, we can understand that.

Mr. Deacon: Isn't it interesting that he isn't aware it is quite the reverse?

Mr. Foulds: But even then the leader of the Liberal Party can change that party's policy to suit himself.

Mr. Renwick: You know, the interesting and rather amusing part about final-offer selection, so far as the Province of Ontario is concerned, is that it actually originated with the membership of the New Democratic Party.

Mr. Deacon: That's right. The New Democratic Party didn't have room for such sensible policies.

Mr. Renwick: Mr. Speaker, do you know where it originated? With real working men —the men who really toil for their dollars, the professional engineers of the Province of Ontario.

Mr. S. Lewis (Scarborough West): That's right. In fact, it originated with the professional Hydro engineers.

Mr. Renwick: The professional Hydro engineers.

Mr. Deacon: They must be in the NDP's black books these days.

Mr. Renwick: Good friends of mine, Val Scott and Ed Phillips, were the ones who produced the first version of final-offer selection that we ever heard of in the Province of Ontario. Fortunately for this party, it was never adopted as a solution for the working man's power to deal with management.

Mr. R. F. Nixon: Well, tell us about what Blakeney does for the working man, the Hydro engineers in Saskatchewan.

Interjections by hon. members.

Mr. Speaker: Order, please. Order.

Mr. Renwick: We'll ask little Allan down some day to give the Liberal leader a lecture; he'd be glad to do that.

Mr. R. F. Nixon: He's one of the brighter NDPers.

Mr. Lewis: He is. I quite agree. What about Barrett and the firemen?

Mrs. Campbell: Tell us what he did for working women. That's discrimination.

Mr. Renwick: Mr. Speaker, it is necessary every now and then to deal with some of the relatively ludicrous arguments of the members of the Liberal Party.

Mr. R. F. Nixon: Ah, yes. Now that we've dealt with those—

Mr. Renwick: I would like now to turn to the philosophy of the government of the Province of Ontario, as enunciated by the Chairman of the Management Board as he reflected upon the decision that was reached on Dec. 29. His reflections were open and clear, and the way in which he looks at this problem were clearly set out in the speech which, fortunately, he sent to each member of the assembly, a speech which he delivered to the Kiwanis Club in the Chateau Laurier in Ottawa on Jan. 24 last. It's a very clear statement. I'd like to deal with it a little bit, Mr. Speaker.

In referring to the bill which is currently before us for debate, he acknowledged that the millennium had not been reached in the Province of Ontario in relations between the government of the province and the civil service. I think that's quite an acknowledgement and quite an admission. I know he's working toward it.

Hon. Mr. Winkler: Better goal, too.

Mr. Renwick: I know it's his goal.

Hon. Mr. Winkler: Thank you.

Mr. Renwick: I have some sort of scepticism about whether he or I will be around when the millennium appears—

Mr. Lawlor: Doesn't the minister think he's set it back several thousand years?

Mr. Renwick: I'm inclined to think that before the millennium comes, there are going to be a number of very difficult problems that will have to be solved.

He said in his speech:

> The government currently has before the Legislature amendments to the Crown Em-

ployees Collective Bargaining Act, amendments which would change the method of making appointments to arbitration boards to ensure their impartiality is beyond question.

That's interesting. Now, that is one of the matters that we raised in the committee in 1972 and tried to get the government to understand at that time—that you can't have the kind of tribunal that was established in the present bill. We hardly consider it progress that two years later, or 2½ years later, the government has adopted the position which we took then in committee.

He then went on to say that—oh, and he split an infinitive; but I will correct that.

Mr. Lewis: I want to speak to my colleague about that.

Mr. Renwick: I will correct that grammatical error.

Mr. Lewis: That doesn't happen in our caucus. People don't split infinitives in the NDP, I want to tell the House.

Mr. Renwick: Mr. Speaker, if I may—

Mr. Foulds: The Chairman of Management Board would split hairs, if he had any.

Hon. Mr. Winkler: What would the member split?

Mr. R. G. Eaton (Middlesex South): They just split, period.

Mr. Renwick: And "to expand significantly." Mr. Speaker, I would like the Chairman of Management Board to get that—"to expand significantly." "To expand" is the verb; "significantly" is the adverb—and the adverb generally follows the verb.

Mr. Lewis: He can tell that to his speech writers.

Mr. Renwick: "And to expand significantly the subject areas"—

Mr. Lewis: Grade 9 grammar.

Mr. Renwick: "—open to negotiation between management and employee representatives."

Mr. Lewis: It is nothing but barbarism to split infinitives.

Mr. Renwick: He said:

> Even as we proceed with this legislation, which we believe offers some very real improvement in the existing Act, we are continuing to give active consideration to further advances in the system.

Well, if one examines the amendments which appear in the bill which is before us with respect to those matters which are now negotiable and those matters which are reserved exclusively to management, one will see that it is a very marginal difference between the position before and after. Again, Mr. Speaker, we in this party in the committee tried to insist two years ago that those changes should be made.

So the very two items that the Chairman of the Management Board highlighted in his public address are two of a number of items which we had urged upon the government at the time of those iniquitous hearings back in 1972.

He referred to it in his speech as the broader questions of relationships between the civil service and the government of the Province of Ontario; the broader questions with relation to the negotiations in what he refers to as the public sector—as distinct from what he contraposed to it, the private sector.

He appealed to his audience that since they were all taxpayers they had the right to know. That was the reason which the Chairman of the Management Board gave for all of the public announcements which he made during the very sensitive periods of the negotiation which exacerbated the situation.

It is a very selective right to know that the government of the Province of Ontario exercises. The only time it takes the people of the Province of Ontario into its confidence and says they have the right to know is when it serves the purposes of the Tory government, the cabinet of the Province of Ontario.

There have been countless occasions when this government has denied the right to know, and you can't make it a self-serving operation—and the Chairman of the Management Board knows it. It is a specious argument.

He then indicates, of course, that it is the taxpayers who will pay and he opposes the body of the taxpayers against the Civil Service Association—almost as if the Civil Service Association is non-taxable. That is the distinction he really makes. They pay taxes, so far as I know. So what he is saying is that he was engaged in opposing, or trying to oppose—fortunately he wasn't successful, because the people of the Province of Ontario weren't taken in by it.

He wasn't opposing the taxpayers against the civil service. He was opposing those taxpayers, corporation and individual who paid

taxes but weren't members of the civil service, against members of the civil service who were taxpayers.

That was the confrontation the minister was engaged in and it was humbug. He ought to know it and I hope he will have enough sense in the time to come never to use that tactic again in the course of negotiations in the Province of Ontario. It was cheap. It is a management device used year in and year out in what you refer to as the private sector. They're constantly taking the public, the consumers of the product, into their game to let them know why it is that the consumers, who happen to be their workers, are really affecting the great body of consumers.

You know, throughout the speech, the minister never knows whether to refer to them as taxpayers or consumers, because he tries to say that the public sector and the private sector are different, but he always stumbles on it because he can't quite distinguish consumers from taxpayers. He doesn't really believe there are any differences of any real significance and he knows it.

Do you know the specious distinction that the minister held up, Mr. Speaker? He held up that the government of Ontario would not engage in a lockout and therefore that makes negotiations in the public sector different from negotiations in the private sector. I'm not so sure; if Tory government kept on long in this province they might very well engage in a lockout. I wouldn't be surprised if they put a lock on this assembly door if they're in the government very much longer. We've had a recent example in Bangladesh of a parliament voting itself out of existence.

Mr. Foulds: It would be know as the Long Legislature.

Hon. Mr. Winkler: That would be only if those fellows opposite were in power, that's all. That's when that will happen.

Mr. Foulds: The precedents aren't encouraging.

Mr. Renwick: It's very fascinating that in his speech in Ottawa he disclosed the samples which he took in the pay sector of the private economy. The private economy is different from the public sector; bargaining in the private sector is different from bargaining in the public sector; but the gauge of earnings of members of the civil service is to be determined by private wage assessments in the private sector and that's what the equation is to be.

That's exactly what the minister did in this instance. I ask—maybe I'm wrong, maybe they are available—I ask the minister to table the comparable employment fields that were used for the purpose of making those comparisons, because the Chairman of the Management Board said, "It was on the basis of those comparisons of comparable employments"—which is a very interesting phrase and even he had the grace in his speech to indicate that comparability was kind of difficult—tempered by what he referred to as intra civil service adjustments that would have to be made, that it was on that basis that he made his offer on Dec. 3. He chastised the Civil Service Association for not being graceful enough to both be grateful and to accept it at that time rather than to cause him, the Chairman of the Management Board, the difficulty and the trouble which he had for the rest of the month of December.

I don't know whether the way I look at things is so different from the way the Chairman of the Management Board looks at it that I find it incongruous that the Chairman of the Management Board would try to say to us that the very guts of the items that are being negotiated are identical in the public service as they are in the private sector, and then say that there is some difference in the nature of the process by which the negotiated settlements would be reached. The logic of it escapes me. I would be very interested if the chairman, at the appropriate time, would clarify my thinking about it. There is no difference, in my view, and there can be no difference so long as the standards which are established by this government for employment in the civil service are based primarily upon comparisons.

Then he threw in another criterion. The funny thing is that his speech started off in the factual matters of the negotiation and it appeared to be almost a complete whole and then it went very funny at the end as though he got tired and he realized that he couldn't logically put the whole thing together.

The other criterion he used was the ability to pay, and he referred to the fact that the tax resources of the province were not a bottomless pit, and that he hoped that others would learn that hard reality. I had the feeling that he was talking about the New Democratic Party when he referred about learning the hard reality about that.

I think it is fascinating. In one of the vexed areas of this difficult problem of public sector negotiations—in the field of hospital services—about the very day that the Chairman of the Management Board was making his speech to

the Kiwanis Club in Ottawa about the ability-to-pay principle, as it applied to collective bargaining within the public sector of the civil service of the Province of Ontario, the commission established by his colleague, the Minister of Labour (Mr. MacBeth) was reporting upon the question of negotiations in the hospital services.

The one principle which that commission ruled out as being irrelevant was the question of the ability to pay. They established quite clearly that if the status by way of salary and working conditions was to be raised within the hospital industries, the matters had to be dealt with on a province-wide basis—for which there may be argument, and obviously the Minister of Labour wasn't too happy about the suggestion—and the ability to pay was not the criterion.

I'm simply saying to the minister he can't lump into the public sector, hospital workers and a great number of other persons, categorize practically all of them as essential and suggest somehow or other that the government of Ontario, which has the final responsibility in practically all of those fields, is going to use the ability-to-pay principle which was disowned as being inapplicable in the field of hospital workers. The report, I hope, the government of the Province of Ontario will accept for the hospital workers.

Then in his address on this whole question of the broad aspects of how you deal with this next question he proceeded to indicate that yes, the essential services question was a major question. Of course, the government has already indicated that somewhere in the private sector there are essential services as well, because the assembly legislated out, with us in opposition, the compulsory ending of the elevator strike. There must be within the private sector, areas which the government will consider to be essential and not just within the public sector. But the criteria, when you move into the public sector, of what the government designates as essential services are basically services where the pay scales are the lowest.

(We tried to make this point time and time again in other debates: The use of the term "essential services" is a pseudonym for, or there is another English phrase which indicates that you want to say something with a glossy term when the reality is not to be used, I forget what it is—my colleague from Sandwich-Riverside (Mr. Burr) should be able to help me because undoubtedly it is a word of Greek origin—it is a euphemism for the fact that the wage rates are low and we want to keep them low, therefore we call them essential services.

One can make exceptions to it, and one can say that isn't so in all instances. But in practically every instance in which we have to deal with the question of compulsory arbitration it is with people who are getting sub-average wages across the board. This government must have recognized that, because the maximum upper limit that the Chairman of the Management Board has stated he will ever permit in the civil service of Ontario is the level of comparable rates in the private sector. That was the measure of the 20 per cent across the board that he agreed to, or whatever the final figure was.

I want to emphasize that point, that what he proceeded to put on the table as the realistic negotiating position of the government of Ontario was an offer which would do but one thing, and that was to raise the level of the 19,000 operating members of the civil service to comparable levels in the private sector.

The logic of it, of course, is perfectly clear: That they were substantially below that level and that whatever the pay research may have been—and I'm quite certain it could be shot full of holes to determine whether or not it should have been 30 per cent instead of 20 per cent, or whether it should have been the 29 per cent or the 40 per cent—when looked at in those terms that is an immeasurable hurdle for the Civil Service Association of Ontario to constantly and forever have to achieve to just keep themselves level.

They can never, because they are civil servants, go ahead. It can never be said in the philosophy of this government that the positions in the civil service in the Province of Ontario are worth more than the positions in the private sector.

The apologia the Chairman of the Management Board put forward was the usual litany of the defence of the free enterprise system, indicating again that, thank God, he wished that some other people would realize that the free enterprise system was going to be destroyed. Again I had the feeling the Chairman of the Management Board was talking about the New Democratic Party.

Mr. Speaker, the Civil Service Association of Ontario knew exactly what they were doing when they put forward the 62.5 per cent argument. The 62.5 per cent argument was put forward to the government to alert the government that there was something seriously wrong in the wage levels of the civil service generally and particularly in the

areas of the 19,000 that were coming up for bargaining.

A 20 per cent across the board increase is a substantial increase. A 20 per cent across the board increase means that the government of the Province of Ontario was paying substantially sub-average wages for a long period of time in the civil service. And it'll never be able to escape that. It was paying sub-standard wages. That's exactly what it does. It says to the civil service it can't ever get anywhere except to the standard.

What is worse, to the general category of the civil service which is coming up for negotiations—I don't know the exact date, but it's not very long—it has already said they cannot expect to get the 20 per cent. There is no evidence, and the minister certainly didn't say so in his speech, he didn't say that the pay research has been done in the private sector to compare the general service employees in the civil service positions with the private sector in order to determine what extent of increase the government would offer. He has already foreclosed the question that they can ever get 20 per cent.

Mr. Speaker, the minister knows they also are being paid substantially substandard. The minister knows that. I ask him again to table —maybe I wasn't here and maybe he has done it, but I haven't heard about it—to table those figures in the area of establishing the pay research that led him to offer the 20 per cent. I would like to see now the pay research figures he will use for the purpose of determining the offer which he will make to the general service employees.

Now, all right; just remember that we in this party consider that in practically all of the areas that we are basically concerned about, the government equates essential services with substandard pay. One does not have to be a genius or a student of labour history to know that substandard pay is always accompanied by substandard working conditions generally, and is always accompanied by the absolute reserved right of management to manage.

And perhaps now, Mr. Speaker, in 1974 and in 1975, you will understand why the civil service of the Province of Ontario, after 30 years of Tory rule, had to adopt a self-denigrating motto. "Free the servants," in order to get across to the government what was wrong within the civil service so far as their pay rates, their working conditions and the managerial reserved right to manage were concerned.

I think they have made some progress in getting that across to the government, but within that context everything that the Civil Service Association of Ontario has done in the last six months has been sweet reasonableness compared with the position of the Tory government over the last 30 years to the civil servants.

And I am suggesting to the Chairman of the Management Board that when he goes home tonight, he takes my copy of his speech and perhaps reads some of the notes which I have put in the margin of his speech and tries to indicate to himself whether or not his philosophy really has any place in the Province of Ontario in 1974.

I will finish, Mr. Speaker. I understand the bill is going to committee outside the House and we'll have an opportunity to deal with the specifics of the clauses. But on this first occasion for the amendment of the Crown Employees Collective Bargaining Act, following hard upon, and indeed part of an endeavour by the Civil Service Association of Ontario to get across to the government their concerns about the collective bargaining Act under which they were governed, the government comes up with very minimal changes in that particular bill.

The reason we are so far apart—the reason this party is not prepared to accept some flat statement that something is an essential service, that something requires a general legislation ruling out the right to strike—is because we believe, as distinct from the Chairman of the Management Board and his colleagues—and his colleagues must include the Minister of Labour—that the right to withhold collectively one's labour is a fundamental right established in the common law of England. It was part of the common law of Upper Canada until such time when the compromise was made between the labour movement and management. At the end of the war, there was a compromise and almost a true settlement reached. The right to strike was translated into statute law with certain rules governing it at the time of the treaty—that's what I call it—in 1944; but it's a right, and there's no question about it.

But that's not what the minister calls it. The Chairman of the Management Board says, "I say 'so-called' right"—"so-called" right, that's all he understands by it—"because I cannot accept the suggestion that some fundamental freedom, equivalent say to the right of free speech or religious freedom, is at stake here."

An hon. member: Why?

Mr. Renwick: I want to say to the minister, and I want to say it unequivocally, and I want to say it just as simply and as clearly as I can: The right to strike is equal to each of those other rights. The right of free speech, freedom of religion, freedom of conscience, freedom of assembly, freedom to withhold one's labour, are fundamental rights under our constitution; and nothing this government can say is going to suggest for one single moment that because a person works for the government of the Province of Ontario he forfeits that kind of right. The paternalistic view of this government when it comes to the fundamentals of this kind of relationship means that they just do not understand the fundamental principles which we are involved in. He goes on—and I am going to repeat it again, because I think Hansard should show the whole context—and I am quoting the Chairman of the Management Board, because God forbid that Hansard should misconstrue it, that I said it:

> I say "so-called" right because I cannot accept the suggestion that some fundamental freedom, equivalent say to the right of free speech or religious freedom, is at stake here. Rather, it seems to me that giving an employee the power to withdraw his services in pursuit of his contract demands is or can be part of the collective bargaining process but is not necessarily essential to it.

Mr. Lewis: Come, who wrote it?

Mr. Renwick: "In my view,"—again, it is the Chairman of the Management Board's view—"it should be seen more as a condition of employment, subject, as are other conditions—"

Do the members know that in 1936, at Bassel's restaurant on Yonge St., the first chairman of the Ontario Labour Relations Board designated that contract as a yellow-dog contract? We haven't heard that term for a long time, but under the guise of the language used by the Chairman of the Management Board, the government is saying that it can subject the civil service of the Province of Ontario to a yellow-dog contract. The quote goes on:

> In my view it should be seen more as a condition of employment, subject, as are other conditions, to the wider ramification of the jobs or services at issue; and subject, of course, to any individual's right to refuse employment should he not find the conditions attached to it acceptable to him.

An hon. member: Oh, come on.

Mr. Lewis: Resign. He should, in fact.

Mr. Renwick: It is not a question of refusing employment if the conditions aren't satisfactory. That luxury is given to very few. It's a question of whether or not when one has the employment he has the right to decent wages, the right to decent working conditions, the right to a non-paternalistic employer who will negotiate in good faith.

Mr. Lawlor: Starve under bridges.

Mr. Renwick: And to enforce those rights, the right, collectively with his fellow employees, to withdraw his services.

Let me make it clear: We have said there is no place in the civil service for a bill which denies the right to strike. We believe that a government of the day, exercising its responsibility of government and its ultimate responsibility to the electorate of the province, can and should select a point in time where any disruption of the economic life of the society, be it in the provision of goods or the provision of services, can be brought to an end if the democratic process of elected members meets and passes the law to do so. It doesn't mean the unanimous vote of all the members of the assembly, but the exercise of the constitutional responsibility of government to bring it to an end.

We say that at this time in the society of the Province of Ontario, that is a sufficient and adequate safeguard of the public interest without a blanket prohibition against any area of the public service, in its broadest sense, being denied the fundamental right without which it cannot achieve the kind of equitable pay, equitable working conditions and a reasonable management; it has never been done in any circumstances that can be quoted anywhere.

That's what this government has to learn! I am sure that it will, unless it misunderstands the portents of the time; and if it misunderstands, then it is going to be in trouble.

They were lucky this time, they were very lucky; I may even say relatively skilful within the atmosphere of the Province of Ontario. But the things which I have tried to say tonight about what the minister designates as essential services, the standards by which he determines what offer he is going to make and his version of the collective process, is even more rudimentary or lacking in perception when he sort of suggests that on Dec. 3 he made the offer and it should have been accepted. And then on Dec. 29 he made a few minor adjustments to it—and that somehow or other that was settled. We agree.

I'd like to call the minister by his first name just to let him know that we really do agree with him. We really do agree that he wasn't intimidated. I mean, for heaven's sakes, who's going to intimidate the second strongest government in Canada—the 19,000 operating employees?

Hon. Mr. Winkler: That's what the Liberals said.

Mr. Renwick: Well the minister said it too. He said he wanted to let the Kiwanians know that he wasn't intimidated. I imagine he put his shoulders back. Did the minister wear his uniform that day?

Hon. Mr. Winkler: It doesn't fit anymore.

Mr. M. C. Germa (Sudbury): And medals?

Mr. Renwick: Pardon?

Hon. Mr. Winkler: It doesn't fit anymore.

Mr. Renwick: It doesn't, eh?

Listen, nobody kids themselves. The government of Ontario is not to be intimidated. It's crazy to suggest for one single moment that 19,000 members of the population of the Province of Ontario, scattered across the province, providing certain services at low rates of pay, are intimidating or threatening the government. That sort of talk, Eric—sorry, excuse me, Mr. Speaker.

Hon. Mr. Winkler: It's okay, I don't mind. I have been called worse than that.

Mr. Renwick: Well I wanted the minister to know that I really do believe it is possible to perhaps communicate with him about some of these matters. Mr. Speaker, I've gone on much too long. I didn't really intend to speak on the bill. If this particular document had not come onto my desk, if the minister had withheld it for a couple of days, the debate might have been over some time ago.

I want the minister, Mr. Speaker, at some point to read what I've said. I really do want him to do that. I don't mean by that that it's been said perfectly or imperfectly or how it's been said.

I have endeavoured to get across to the minister the fundamental difference in the conception of what is required in 1974 for civilized relationships between the government of the Province of Ontario and those who work for the government of the Province of Ontario; as well as civilized relationships in other areas of the public sector where the government bears the ultimate responsibility.

I hope the minister will find time in the next few days to retract the words which he used in this document to say that the general service employees of the government already can't be expected to get 20 per cent. He's setting himself up for extreme difficulty.

An apathetic body has been transformed over two years into—as I said at the outset of my remarks—a relatively intransigent, militant union. It will only be antagonized into further intransigence if this government continues to take the view that even before negotiations have started it has determined the ultimate limit. That ultimate limit is to bring them simply up to the standard.

Those people are already working for substandard wages and, in their opinion—and I respect their opinion, because they are subjected to the conditions—in substandard working conditions. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell: Mr. Speaker, I don't intend to deal at length in my remarks about this bill. Others have spoken far more ably than I can on the subject.

There are one or two things which I feel it incumbent upon me to say. When I consider there are essential services which do require compulsory arbitration, I am relating it to my experience with the firefighters, for example, of the city of Toronto. There you have a body of men who in this case do not wish to have the right to strike.

There are reasons why they expressly do not wish the right to strike.

That is because management, recognizing this limitation, if you like, treats that body with great consideration as they sit down to bargain together. To me, that really is the secret of what we are talking about when we talk about an essential service and compulsory arbitration. It is that kind of relationship which management builds with the employee which makes the difference.

While I fully agree with what has been said on behalf of this party by my leader, personally I have this kind of concern that with this government that kind of relationship can probably never be established.

I would trust that sooner or later this government could understand human beings. I have looked for it in the time I have been here and I haven't seen them understand human beings per se in any single area of discussion that we have had in this House. So it is difficult for me, just on that personal basis, to look at this matter and wonder just

how this government would handle the relationship with those whose services are essential to the citizens of this province.

Nevertheless, I am accepting this principle. But I would like to point out something else about the way in which this government deals with people over whom they have so much control.

I thought, Mr. Speaker, that we had passed from the dark ages when management could put a person through a probationary period and without any criticism, without any single word of criticism, can then on the last day of their probation, advise them that they will either resign their position or be fired. When this government deals with people in this way, how can anyone have confidence in this kind of a bill? But that has happened.

I regret, too, that so much really is left in the hands of this government in dealing with the matter of discipline. I am sure the two ministers involved with community and social development know the case whereof I have been speaking. It is an example of a government which has the power to discipline in its own hands in circumstances under which there can be no assistance given by the association. What a delightful power to have!

When I look at management rights as they are here, and many of them are in accordance with private employer-employee arrangements, and I realize that the government has the power to decide classifications of positions and has exercised that power to continue discriminations which are contemptible in this time but weren't contemptible when they started, I have very little confidence in this government's concern, really, to make anything work towards a better relationship with its employees.

Mr. Speaker, I will be interested in debating this bill as it goes to committee. I'm not going to prolong this now, but I am prepared at least to indicate the depth of my concern in this bill. Thank you, Mr. Speaker.

Mr. Speaker: Does any other member wish to speak?

Mr. Lewis: I want to speak just for a few minutes, Mr. Speaker. I think most of the arguments have been made; most of the bases have been touched. I don't know that I can reinforce it to any great degree. There are just some comments that I'd like to add, although I fear they will make no impact upon the minister involved.

Mr. Speaker, there is an enormous range of deficiencies in the bill and they've been dealt with over the course of this debate, late this afternoon and early this evening, by a number of other speakers. But I thought that the matter raised by my colleague, the member for Riverdale, toward the end of his remarks was really rather central to everything. The minister involved, the Chairman of the Management Board, has a cavalier attitude to the rights of working people. The way he dealt with the right to strike in his speech in Ottawa was clearly one of the most frivolous and mindless ways of dealing with the right to strike that many of us have seen for some time.

I don't know to what extent the minister embraces the view. I don't know to what extent he was simply reading what was written for him. I must say that his view of the right to strike is so thoughtless and so filled with misunderstanding that it prejudices the entire content of this legislation and this bill, and explains perhaps the attitude of the government towards its civil servants.

One of the problems is that over there on the Tory side none of them understand the right to strike. None of them know how it was won. None of them recognize what's happened in the last 60 to 70 to 80 years of labour relations on the North American continent. None of them can envisage the battles of the 1910s, 1920s and 1930s, when working people wrested from employers somewhat more enlightened than the Treasury Board, and on occasion even now wrest from employers basic working conditions; and did it and do it through the vehicle of the right to strike.

You don't treat a principle like the right to strike so cavalierly, Mr. Speaker. It's not invested with holy writ; it ranks with the other rights; there are occasions when it has to be dispensed with; but you don't toss it aside lightly in a speech to a group in Ottawa and in the process show the basic contempt you have for 60,000 or 70,000 civil servants in the Province of Ontario.

I must say, Mr. Speaker, that what the government is doing over there is alienating the civil service. I suppose most of us should really applaud. It has a penchant for alienating everyone. Every day in this Legislature feels like "The Last Post"—I really have this sensation. I sit through days like today and between Shouldice and Spadina I have the sense that we should have "Taps" playing in the background every time we rise to speak.

They have a death wish over there that has no precedent. At least when Mitch Hepburn went under he did it with panache. They are just sinking gracelessly into the swamp and they are taking everything down after them.

They go from one calamity to another and have no perspective, no understanding, no sense of what the devil they are doing to each other. Self-immolation never had a better definition than that of the Ontario cabinet.

I want to tell you, Mr. Speaker, that what they have done to the teachers and what they've done to the civil servants and what they are doing to groups all over the province, of course, will reap the whirlwind. They may understand that now.

How much more appropriate it would have been to come into this Legislature and to say: "We are altering the bill substantially to incorporate the recommendations of our own employees. We trust them. We assume they wouldn't put proposals to us which were extreme or irrational. We'll incorporate them in law and we'll see how they work, including the right to strike." The entire civil service would applaud them—for reasons of surprise if nothing else—and even the public would say: "Maybe a measure of sanity has returned to that extraordinary group across the way." But it can't return; it's laughable. This place is laughable. The government goes under with regularity and it is doing it again in this piece of legislation.

As I say, I have profound philosophic objections to its contents, but I have no objection to having the government stand on the decks of the Titanic, none at all.

Mr. Speaker, the Leader of the Opposition, the Liberal Party, indicated; my colleague from Riverdale affirmed; I state it's not a secret, that the government of Ontario always has the right on any occasion to order a group of workers back to work. You don't have to remove the entire right to strike from a legitimate group of working people in order to protect the public, Mr. Speaker. If on day one the civil servants walked out—God forbid—the government brings this House in and it passes legislation with its majority at the time—we would oppose it, but the government would pass it—it has the right to turn them back.

It is not done just by Tories, New Democrats do it too. New Democrats did it in British Columbia with the firemen; New Democrats did it in Saskatchewan with the hydro workers. I'm not pretending any particular self-righteousness, but they don't legislate in advance. They don't deprive people of their rights in advance of the Act. They don't invite the confrontation by legislating it. If something is out of hand they cope with it afterwards.

That's the difference between a rational, moderate, civilized government and people who are headed for intemperate confrontation. That's what's happened to this government and I don't understand it. It is not fashionable for Tories as a rule, except for Tories who are so fossilized in social attitudes that all of the currents of change around them eddy and swirl and no one is affected by it—least of all, if I may say, the Chairman of the Management Board who, in his own magnificent monolithic way, could walk through any fire and never notice the flames. He could walk through quicksand and not know when he began to gurgle.

Mr. Lawlor: He would sink on rock.

Mr. Lewis: He could tell the Legislature he was walking across the water and never notice that he'd sunk. It's a kind of penchant the minister has—

Mr. Lawlor: He would be the last one to see it.

Mr. Lewis: —for being totally indifferent to what goes on around him in the world. But the world is moving.

Mr. M. Gaunt (Huron-Bruce): Oblivious.

Mr. Lewis: Oblivious, which is I think generically related to oblivion.

Mr. Laughren: Yes.

Mr. Lewis: Yes, right, okay. The deficiencies of the bill have already been dealt with by my colleagues. The right to strike is something that the government does not need to take from working people, civil servants. Who are these civil servants, these incendiaries, these revolutionaries it wants to take the right to strike from? Who? The people who inhabit the Frost building? Where are they? Where are their Molotov cocktails? What is it about them that the government has to take away their rights? They are ordinary, decent people, working well for the Province of Ontario. They haven't got the slightest inclination or wish to strike. All they want to do is to bargain collectively in good faith.

It's not only the matter of the right to strike. The government does it in questions of working conditions. It prescribes the area which can be collectively bargained in a way which gives it, the management, certain prerogatives which very few managements have. Again, I don't understand the necessity of that. In this day and age, in the 1970s, except for some neanderthals it's possible to give to working people the right to negotiate

everything, understanding that they too will proceed in good faith.

Mr. Speaker, the whole bargaining process in this last episode was profoundly bizarre. It was preceded by public attacks on both sides. I didn't like the civil service ad campaign and have said so publicly. I liked far less the belligerent and antagonistic response of the government. For civil servants whom the government has debased and oppressed for a good many years. in a manipulative way, it's perhaps understandable that their frustration would lead to them to an unwise ad campaign. But a government with all the power around it doesn't have to engage in that kind of belligerence itself on the floor of the Legislature. That's quite unnecessary, entirely unnecessary, And, of course, it heats up the process almost to the point where it can't be retrieved.

The government has existed in a state of paternalism vis-à-vis its civil servants for—what?—33 years. It has never taken them seriously. There's never been serious bargaining. The Civil Service Association, I have no hesitation in saying it, had a lousy representation until the last year. It broke my heart to be part of the debates in this Legislature, having to fight the leadership of the Civil Service Association to win certain rights for their workers. It really bothered us in this caucus that the Civil Service Association sat silently while the fight raged in the Legislature. But it changes. Unions change. Associations change. The civil servants have new leadership. It all altered in the last year or two. And now we are into a profoundly different situation.

Interjection by an hon. member.

Mr. Lewis: Both of the sides then took positions which were very unfortunate. The government took a ridiculous position; the Civil Service Association took a ridiculous position, although, as my colleague from Riverdale pointed out, what they were saying was that 33 years of manipulation have ended. They were saying: "We are going to catch up. We want a quotient additional in real money and we want the cost of living." They in fact put together a very impressive argument for the 62.5 per cent. If that had been apportioned out over the previous five or six years, when they were being neglected by their own leadership, they would be at that level now. But, of course, in a one-year contract they couldn't expect to get the 62.5 per cent. We may yet get the vote tonight, Mr. Speaker, I can say to the minister.

Hon. Mr. Winkler: All right.

Mr. Lewis: Fine, don't panic.

Then there was a great deal of posturing on both sides. The government, as I understand it, made one of those extraordinary tactical errors. It went to 20 per cent right away. It moved from 16.5 to 20 per cent. I don't know where the error occurred. I don't know whether it occurred in cabinet; I don't know whether it occurred amongst the negotiators. But it went to 20 per cent sooner than it intended, and it left itself no negotiating room whatsoever.

Hon. Mr. Winkler: What is the member saying? Is he saying we gave too much?

Mr. Lewis: No, I am not, I am saying that in the government's crazy view of the bargaining process it found itself so trapped in the Legislature that it left itself no room for bargaining. And because the minister didn't understand what the civil servants were demanding, he was prepared to see it to the crunch. What did the CSAO move from? They moved from 62.5 down to—

Hon. Mr. Winkler: Forty-one.

Mr. Lewis: —to 41, down to—

Hon. Mr. Winkler: Twenty-nine.

Mr. Lewis: —down to 29, and then systematically down after that. Okay.

I think that the way the negotiations were conducted was just beyond belief, utterly irresponsible. I want to tell the minister that I discussed it informally once or twice—I know the Leader of the Opposition did too—with the Chairman of the Management Board in the Legislature in passing. It was understood that this is the way the crazy negotiations were proceeding, but that doesn't legitimize them. The fact that the government was able to participate in it doesn't legitimize them.

And those last 72 hours, I couldn't believe it. The minister was closeted over there in the Park Plaza; I was closeted over there in the Hyatt Regency. Both of us were watching what was going on, and the minister has to admit that it had a certain surrealism to it. Everybody knew, including the CSAO, that the government would come up a little. How much it would come up nobody was certain.

I had spoken to two cabinet ministers—Mr. Speaker, they shall remain nameless—in the last couple of days, and was persuaded that the government would come up. The workers

were persuaded that the government would come up. But the government dug its heels in, and the workers came down from 29 to 26 to 24 to 23, and the government wouldn't move.

And at that last meeting at 6:30 in the morning, the government negotiator sat down at the table with Chris Trower and his negotiating team for the Civil Service Association, and said in effect, "Go to the devil. We are not moving." And then he takes Chris Trower down the hall and says to him, "I'll get you 21. Perhaps if I twist an arm I might get 21.5." And Christ Trower says, "You get me 21.5 and we'll have a settlement."

What the devil kind of bargaining is that in the public sector with 20,000 civil servants waiting to find out what happens? And the whole of the public potentially affected? That's not the way it works.

I understand taking it to the 11th hour. There were conversations in confidence all over, Mr. Speaker, during these days. The Leader of the Opposition and I went in and met one evening with the bargaining team of the CSAO, and chatted with them informally. And I am sure we pursued our separate ways and separate contacts. But I must say it's one thing to take it to the 11th hour and it's another thing to take it to 45 minutes before the meeting. That's not collective bargaining, that's collective absurdity and it destroys bargaining in the public sector.

It was a neat game, and both sides had to play it. And I understood it had to be played, and I know the Chairman of the Management Board understood it had to be played. But now that it's all over I am asking him to reconsider the process, to recognize that there was too much at stake ever to allow that to happen again. And I want to put to him what has been put to him before: Bargaining in the public sector, particularly the civil service, has to be honourable, which means that you have got to set an initial offer which reflects comparable rates in the private sector. That's No. 1.

No. 2. If the government insists on taking away the right to strike, it has to accord to the civil servants other special rights—which is an absence of exploitation—in terms of their rights to negotiate and in terms of their wages and fringe benefits.

No. 3. If the government is going to deal effectively in the public sector then it has to give to civil servants the right to appeal somewhere, and that appeal should go to the chairman of the Ontario Labour Relations Board, and they should have the right to find the government guilty of bargaining in bad faith, as the government should have the right to find the Civil Service Association guilty of bargaining in bad faith, if that is what it comes to. In other words, there has to be an apparatus which reinforces good faith bargaining.

Then the government needs a group of civil servants skilled in public sector bargaining, who have some sensitivity about it and who will handle it appropriately. The minister has no such bargainers now. He had a bargainer on his side with capacity and the civil service had Chris Trower on the negotiating committee, but he had no intermediary who understood the nuances and sensitivities involved and could have brought that dispute to a settlement within the last two weeks much more readily and with much less acrimony than was the case. That is also true for teachers, for hospital workers, for transit workers, for the Catholic Children's Aid workers and for the Big Brother workers. The government has got no apparatus in this province which can deal appropriately with the public sector.

One day I will have the opportunity to outline some of those labour disputes, to deal with them virtually one by one in this Legislature, and to suggest the alternative at the right moment in time. This isn't the time. But I know that we could have changed the fractious and antagonistic situation with the civil servants, had all of that been available to us—an appeal to establish bad faith bargaining, if it existed, and a group of mediators who had the confidence of both sides because they understand public sector bargaining.

As it happens, the CSAO got a good settlement, relatively speaking. I don't dispute 21.5 per cent. I don't think it was too high by any means. I don't think it was quite fair. It should have been a little higher. But in terms of what they have ever received from the government, it was okay. But in the process, the government fashioned solidarity in the civil service and developed a political consciousness in the civil service which never existed before. All over Ontario, civil servants were wearing "Free the servants" badges; wherever one went to public meetings, they were in the audience. Now we have 60,000 people who are much more aware of the injustice of government, and now the minister brings in a bill which is a slap in the face, an outright provocation to them. Well, that's his decision.

We will oppose the bill. I mean, we oppose it with good heart. We want no part of it. Very little progress is made; very little of it makes any sense. But the minister wants to pass this bill. He wants to declare war on the civil service again. He wants to antagonize them in an election year. He wants to mobilize yet another group of people against the government in Ontario. Does he know what happens when the government systematically alienates individual groups everywhere—teachers, hospital workers, civil servants, farmers? Ultimately they represent all the people in the province, and then they change government. That's what they are doing over there, and they are doing it so systematically that I can't believe it—but it's happening again in this bill.

You know, Mr. Speaker, I say to the Chairman of the Management Board that I have sat in this House more often feeling like a student of political science or in my old undergraduate days of history than I do a politician. I wish I had a column in one of the papers, not to espouse the cause of socialism but to analyse what is happening over here. It is like a death rattle. It is like rigor mortis. It's as though they cannot move their cerebral processes enough to understand the self-destruction that's taking place. That's what this bill is doing.

The minister will stand up and speak to this bill. He will explain how useful it is. He will say that the right to strike can't be given. He will say he has extended the rights. But there isn't a civil servant in the Province of Ontario who believes him any more. There isn't a civil servant in the Province of Ontario satisfied with this bill. Why does the government want to alienate all these people? Are there no lessons they have learned from the by-elections, the Gallup poll, the party's own surveys?

Will it never end? Is the government unable to accommodate any reasonable request from any reasonable person or group? Is it unable to change its policy without humiliation? No to Spadina. Is the government incapable of doing anything that registers faithfully in the public mind, that has about it the quality of integrity? The answer is no, and this bill digs the government deeper in. I don't want to save them. I'll be there to cavort and chuckle on election night as they write the incredible stories saying that after 33 years it's all over.

Even the minister's attitudes predate George Drew. Maybe then we've come full circle and it's time to get out of it all. It's a disgraceful bill; it really is. The minister had such excellent possibilities for some enlightened amendments which would have won applause everywhere. Instead he has made the predictable, irrelevant alterations. So we can't support it, civil servants don't support it, the public has no reassurance, and the government is on its way yet again to another defeat. I don't know why. C'est à toi. We'll vote against this.

Mr. Speaker: Does any other hon. member wish to take part in this debate? The hon. minister.

Hon. Mr. Winkler: Mr. Speaker, thank you very much. I have a tremendous number of notes here to answer. I'm not going to speak at any great length, except to answer some of the things that have been said, and to let us have some clear understanding in regard to what I think myself and what I intend to do.

Let me say immediately that in the vein of the discussion that took place over there this evening, the disagreement or the argument that took place between those two parties indicates that although they're both going to vote against the bill, I think in many instances some of them will wonder why.

Mr. Bounsall: Not on this side; not in this party.

Hon. Mr. Winkler: Well, no, not those members; that's true. I say it justifiably, Mr. Speaker, because a lot of the discussion this evening—and I listened very carefully—was certainly not on the principle of this bill, but on many things other than the principle of this bill. I don't deny them that right under these circumstances. A few of those points have to be set straight as well, I might say.

Let me say first and foremost that as far as the leader of the NDP is concerned, let me remind him that although this might not please the entire membership of the CSAO, or himself, what we're doing in this bill—and, as I've said myself, maybe not going as far as I even would like to go—is, in fact, in direct response to the request of the CSAO. It's not some contrived idea that I'm out to alienate people. By no means. In fact, I'm endeavouring to co-operate with them to the degree that I hope it's one step.

I've forgotten what the debate was prior to the closing of the House at Christmastime, when the member for Scarborough West had made some statement and some suggestions about what improvements there should be. I suggested at that time some little area of agreement, and I want the member to know that that was not just by error. I am follow-

ing that line of thinking with my colleagues. I want to tell the member this, if he thinks that I'm putting this before the Legislature as something to be great and final, then he is wrong. And time, a very short time, is going to tell him that and prove that point to him.

Let me also remind the hon. member that, for instance, in the United States, Mr. Meany has said that where he has had the right to strike in many big instances in many areas, he said it's no longer of any use to him, there has to be a new way; and that's the area we're exploring.

Mr. Lewis: I just want to tell the minister not to quote George Meany to me. I consider him a labour fascist. I'm not interested in George Meany.

Hon. Mr. Winkler: Okay. And the president of the United Steelworkers, also in the US, has expressed precisely the same view, and I want to tell the member something, I feel the same way.

Mr. Lewis: It doesn't always work.

Hon. Mr. Winkler: When he talks to me about my lack of understanding, when my friend talks to me personally as Eric Winkler —and both of the members over there use the name, the terminology, which I appreciate, in that personal sense—

Mr. Lewis: Vernacular.

Hon. Mr. Winkler: —have a look at my whole background. If the member doesn't think I understand, have a darn good look at it and he'll know then that he is wrong. Then I hope he will believe me when I tell him that this is the beginning, from my point of view. I probably could have come in a little tighter than this in regard to the terms of what I have accepted from the CSAO. Certainly I could have. He knows that, too. When we sat down and discussed it with the leadership of the CSAO a couple of times, they expressed great surprise that we had gone that far.

Now, who is kidding who? I don't think I am giving everybody everything they want; certainly I don't. But I want to tell you, Mr. Speaker, this is step number one in the right direction. I say this to the legislative assembly and to the private and the public sector, whoever they may be in Ontario: Let's hope that the more sensible heads in this country will get together and find a system that in fact will solve the strike problem and give the people, whether it be the civil service or somebody else in this country, the proper avenues to solve their problems. And I will ply my efforts toward that end.

Mr. Bounsall: Has the minister ever said this before?

Hon. Mr. Winkler: Oh, Yes, I have said this on a number of other occasions. I have it under active consideration with my colleagues now. It is a government policy and the members will hear about it in due course. As I said just a moment ago to the Leader of the Opposition, the members won't be waiting too long.

Mr. Bounsall: We will look forward to it.

Hon. Mr. Winkler: The member can be sure.

Mr. Bounsall: In three or four months?

Hon. Mr. Winkler: I am not going to give the members a time frame. It might even be well less than that. But they are going to hear from us; be sure. It won't satisfy the opposition anyway, so what difference does it make? That will be nothing new as far as I am concerned.

There were a couple of the other things that were said tonight in regard to what happened in the course of the negotiations.

It is very easy for the leader of the NDP to say it was a shambles. It was no shambles because it was contrived from day one. He said we would have had a much easier opportunity to settle if we had done things some other way.

I do not blame the civil servants for that campaign in the news media, whenever it happened, whatever month. Sure, it was their money that was used; but that was a disgraceful campaign and did them no good. I want to say that. And I will say that directly to the leadership of the CSAO too, if that would satisfy anybody to any greater degree than we understand happened at the moment.

Now, there were personal attacks on the Premier of this province. Regardless of what you or I think; regardless of the political ploys we put forth to gain the support from the press or whoever—such as went on in this chamber tonight, Mr. Speaker, I can tell you that. That's all it was. A little game to attract the attention of the civil service of the Province of Ontario to some other quarter. I want to tell the opposition that the civil servants of this province are a darn sight smarter than they think they are if that is the game the members opposite are playing.

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Winkler: I want to get at some of the other personal things that were said. The leader of the Liberal Party made mention of the statement I made at a press conference—I just forget exactly what date it was. I will say this to you, Mr. Speaker, and the other members of the House, the information that was given to me by a member of the CSAO at headquarters the day he visited was that they should stick at 25 to 30 and they would win.

Mr. R. F. Nixon: Baloney.

Hon. Mr. Winkler: Well, the member can say "baloney."

Mr. R. F. Nixon: Well, all right.

Hon. Mr. Winkler: I got that information right from the headquarters of the CSAO.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: The minister's stool pigeons just tell him what they want him to hear; I am telling him that is wrong.

Mr. Speaker: Order, please. The hon. minister has the floor.

Mr. R. F. Nixon: That is just despicable on the minister's part. What is he clucking about?

Hon. Mr. Winkler: No; no, it is not. Mr. Speaker, that came to me directly from the CSAO headquarters.

Mr. R. F. Nixon: From the CSAO?

Hon. Mr. Winkler: That is correct. And if the leader of the Liberal Party denies it, I will accept that denial—because he is the gentleman that was there, not me.

Mr. R. F. Nixon: Well, that's right; I don't believe it.

Hon. Mr. Winkler: That's fine, he can believe as he chooses. I don't care.

Mr. Lewis: That was never said in the room that night, never. That was never said in the room that night.

Mr. Speaker: Order, please.

Hon. Mr. Winkler: I am just telling the members that it was—that I was informed by people who were in the room that day. That's why I said it was unworthy of the Leader of the Opposition.

Interjections by hon. members.

Mr. Lewis: On a point of privilege, Mr. Speaker, although the Leader of the Opposition can obviously defend himself. I followed the Leader of the Opposition into that room. I asked all of the negotiating committee specifically what he had said and under no circumstances was that put at any point. That he should have believed that crap is an indication of what happened to the collective bargaining process.

Interjections by hon. members.

Mr. Lewis: Excuse me, I meant claptrap. That's a diminutive which crept in.

Mr. Speaker: The hon. minister will continue.

Hon. Mr. Winkler: Mr. Speaker, just so that I don't take up all of the time that is left, there are a couple of other things that I have to respond to.

Mr. R. F. Nixon: Can't he get to something of substance? He has just got his wires crossed.

Hon. Mr. Winkler: If that's the case, it all went haywire. It's a peculiar thing to hear what the hon. member said this evening in regard to the settlement because I think he rather supports what I did and the settlement I made, that is, in regard to the figures. I think he does.

Mr. Lewis: The figures were below that which I understood would occur but maybe he and I would be better off if it weren't discussed in the Legislature.

Hon. Mr. Winkler: That may be quite so.

Mr. Lewis: I think so.

Hon. Mr. Winkler: That may be quite so. But I'm going to say this to him, that when people who did negotiate at the table went out and talked to the full body of the CSAO and told them they could have settled for much less, I tell him that is the height of something or other.

Mr. Lewis: It is indeed.

Hon. Mr. Winkler: It is indeed. Okay, we agree on that one too. Thank you.

Mr. D. C. MacDonald (York South): That is a rather isolated point, though.

Hon. Mr. Winkler: The other point I want to raise, Mr. Speaker, before I conclude, is the matter of essential services. We can dis-

cuss that until we're blue in the face and that is not what is going to solve the issue of the settlement of any strike.

Mr. R. F. Nixon: It can't be solved.

Hon. Mr. Winkler: No, and we can come back, as somebody said, and we can legislate everybody back to work we want to. I want to tell you, Mr. Speaker, that is not in my thinking. That's not in the terms of what I understand a solution should be for the problems that face us and will face us. I want something better than that and I want something better for the members of the CSAO. The civil servants of Ontario deserve something better than that. I simply hope, Mr. Speaker—

Mr. Lewis: The government takes away their rights in advance.

Hon. Mr. Winkler: —as a member of this government, no matter what they said about me tonight, I can be part and parcel of a solution that will stand the test of time and will be adopted in many other jurisdictions. Mr. Speaker, I thank you.

Mr. Martel: The minister doesn't believe that, does he?

Hon. Mr. Winkler: Yes, I do.

Mr. Speaker: The motion is for second reading of Bill 179.

The House divided on the motion, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Auld	Braithwaite
Bales	Burr
Belanger	Campbell
Birch	Deacon
Brunelle	Edighoffer
Carton	Foulds
Drea	Gaunt
Eaton	Germa
Evans	Good
Gilbertson	Haggerty
Havrot	Laughren
Hodgson (Victoria-Haliburton)	Lawlor
Hodgson (York North)	Lewis
Kennedy	MacDonald
Lane	Martel
MacBeth	Newman (Windsor-Walkerville)
Maeck	Nixon (Brant)
McIlveen	Renwick
McNeil	Riddell
Meen	Ruston
Morningstar	Spence
Nixon (Dovercourt)	Young—23.
Nuttall	
Parrott	
Potter	
Root	
Smith (Hamilton Mountain)	
Snow	
Taylor (Prince Edward-Lennox)	
Timbrell	
Villeneuve	
Wardle	
Winkler	
Wiseman—35.	

Clerk of the House: Mr. Speaker, the "ayes" are 35, the "nays" 23.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Renwick: No, standing committee.

Hon. Mr. Winkler: Mr. Speaker, tomorrow when we sort out what's happening in the other committees, I shall refer the bill to a standing committee.

Mr. Speaker: Agreed?

Hon. Mr. Winkler: I am just informed that it has to be referred now, and it will be referred to the social development committee.

Mr. Speaker: The House leader indicates it will be referred to the social development committee. Is it agreed?

Agreed.

Hon. Mr. Winkler: Mr. Speaker, before I move the adjournment of the House I would like to say that tomorrow we will deal with item No. 3, Bill 176. At the opening of the House there is one minister who will not be available to me or at least he couldn't be this evening. I will announce what will follow that before the House opens.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:15 o'clock p.m.

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Ontario

Legislature of Ontario Debates

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Fourth Session of the Twenty-Ninth Legislature

Friday, January 31, 1975

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JANUARY 31, 1975

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions.

The hon. member for Kitchener.

PROPOSED COTTAGE SUBDIVISION ON NAPPAN ISLAND

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, a question of the Minister of the Environment. Following the resolutions made by the township of Seymour, Percy, Rawdon, Alnwick, the town of Campbellford and the Lower Trent Conservation Authority concerning development on Nappan Island, is the minister concerned that the proposed development will be upsetting to the environment? And has he moved at all to discuss the matter with the Minister of Housing (Mr. Irvine) in order to stop such development from proceeding?

Hon. W. Newman (Minister of the Environment): I'm sorry, Mr. Speaker—what is the location of that development?

Mr. Breithaupt: Nappan Island.

Mr. S. Lewis (Scarborough West): He knows that deveopment. He knows it well.

Mr. V. M. Singer (Downsview): He's got lots of lots on it.

Hon. W. Newman: Mr. Speaker, on any development today within the Province of Ontario we work very closely with the Minister of Housing to make sure there are no environmental problems. But there are times—and I can't give you specific details on this particular property, but certainly there are times when we have to say no to developments in certain areas because of certain environmental hazards that are involved. But certainly we are very much aware of every development that goes on.

Mr. Breithaupt: Further to that particular point, considering the fact that there is a bird sanctuary and a rather delicate environmental area immediately adjacent to this, does the minister not think that the plans for 250 cottages on Nappan Island and an additional 150 cottages on Hardy Island, which is immediately adjacent, would be upsetting to the environment and therefore should be reviewed?

Hon. W. Newman: Mr. Speaker, as the member knows, part VII of the Environmental Protection Act and various other regulations provide that no development can go ahead anywhere in this province without having proper environmental clearance and controls on it. Soil percolation, soil types, the rock strata and the aquifers—all these matters are taken into consideration on any development, and if there is going to be any environmental pollution at all, we would certainly be against any particular development which would create that problem.

The hon. member probably sees in the paper on a daily basis that we are involved with environmental matters in various places regarding subdivisions, storm runoffs, septic systems and so on. So certainly, if there's any particular area that would create an environmental problem, we would be on to it.

Mr. Speaker: Any further questions?

HYDRO COMMISSIONS

Mr. Breithaupt: A question of the Premier, Mr. Speaker, with respect to hydro commissions.

We understand that the cabinet is discussing the matter of the takeover of hydro commissions by regional governments; and following certain problems that have arisen with respect to membership of those commissions in the Waterloo region, can the Premier advise when we might expect to have some policy concerning the membership on those commissions and whether, in fact, regional governments will take over that responsibility?

Hon. W. G. Davis (Premier): Yes, Mr. Speaker, this is being considered by cabinet. I can't tell the hon. member any exact date but I think it will be quite shortly. I know of

the member's interest in the Waterloo area; there is also some interest in Peel, the city of Brampton, etc., so there are a lot of us who are anxious to see the guidelines and the proposals as to how we might resolve some of these situations. I expect the guidelines and suggestions will be coming forward very shortly.

Mr. Speaker: Has the member for Scarborough West any questions?

ROSS SHOULDICE

Mr. Lewis: Yes, Mr. Speaker, a question of the Premier.

Now that clearly there are unanswered questions about the Shouldice affair, does not the Premier think a public inquiry into the behaviour of that man and his fund-raising activities in the Sudbury basin—as well as the other aspects in which he was involved in doing business on his own or with government, and indeed his relationship to the fund-raising process generally in the province within the Conservative Party—does the Premier not now think that since parties and governments are inseparable that there should be an inquiry?

Hon. Mr. Davis: Mr. Speaker, I read the letters that the leader of the New Democratic Party tabled after he says he received them on Tuesday evening. They were photostatic copies. I must say when I first looked at them I was looking for signs of mildew to see where they have been for the last 14 months.

Mr. Lewis: They weren't part of that cache.

Hon. Mr. Davis: They may not be. I don't know which vault of the NDP they came from on Tuesday evening, or wherever they came from. I am very intrigued by that.

Mr. E. W. Martel (Sudbury East): The Premier should talk about the issue. He should talk about Shouldice, the thug.

Mr. R. G. Hodgson (Victoria-Haliburton): It's hurting, is it?

Hon. Mr. Davis: Mr. Speaker, the member for Sudbury East can call Mr. Shouldice a thug if he so desires—

Mr. Martel: He was. He took more people for a ride in the Sudbury area—

Hon. Mr. Davis: I would only review certain aspects of it, Mr. Speaker, in answer to the leader of the New Democratic Party.

The story that appeared initially on Monday last referred to two or three aspects of the situation; one of them related to the suggestion about what I think could be called patronage in terms of selection of firms or individuals, not related to contract awards or what have you, but in those areas where government retains services, where there is some discretion.

As I read the Globe and Mail story, they checked a number of the individuals whose names must have appeared somewhere. In fact, one might almost think some of the names were contained in a letter that was tabled here yesterday; one might assume that, which might also then might lead one to assume that somebody had this material when that story was written. In fact, I understand some of the questions were being asked in Sudbury as of Friday of last week. And my understanding of the story was that that aspect of it was checked by the reporters from the Globe and Mail, and as I read it, there was no evidence whatsoever to substantiate anything being done on the basis of or on the recommendations or suggestions of Mr. Shouldice.

The main part of the whole innuendo and accusation, which was contained in the headlines of the Globe and Mail on Monday—the story that was copyright with respect to the purchase of land in the Oakville area—I say to the leader of the New Democratic Party there wasn't a single thing tabled here yesterday that either referred to that or cast any further light on it. And I say that the file that has been tabled, the statements have been made, prove without any question there was no influence, there was no contribution, there was nothing improper done by the civil servants. Mr. Speaker, I do take exception to that, and I said it publicly on Monday night—and I make no apology for it.

What that story implied was that there was a series of individuals in the Ministry of Transportation and Communications, not just one man,—you don't plan a highway without the involvement of several people—that these public servants were in some way suborned for the interest of a political party or an individual. Mr. Speaker, I reject that categorically. It just isn't true. To me, it was a totally incredible story from that standpoint.

It has been demonstrated, I think without any question, there were no funds paid to the party. There were no funds offered to the party. There was no commission paid. There was nothing improper in the purchase.

I read the letters of yesterday. One thing I think they demonstrate very conclusively is that the particular man in question had very little influence with this government. You can talk about his vote. You can talk about some of the other things in it maybe, but I think it demonstrated conclusively that some of the suggestions made by that particular individual were not accepted by the government of this province.

I say to the leader of the New Democratic Party that if there are some more letters in the vault, if he thinks that his caucus has some other things up their sleeve, if they want to persecute and see somebody hanged on the front lawn of Queen's Park, I tell him the man has been prosecuted. He was prosecuted under a number of charges. He is in the process of having a hearing as it relates to his licence. Just how far does the member want to go in a democratic society? Just how far does he want to be involved in what I think is a very questionable approach to the political process here in the province?

I was disappointed, Mr. Speaker—I say this to the leader of the New Democratic Party—I was disappointed because while we have differed on many basic issues, and while we will debate policies here in this House, and while I disagree sometimes strenuously with some of the things that have been suggested by way of policy over the years, I have always expected that the leader of the New Democratic Party wasn't going to resort to some of the things that have happened in the other party in the House, and the press.

I just can't understand why he has become part of it. The only conclusion I can come to is that there are some members in his party and his caucus who feel some sense of guilt in that they were sitting on some of this material for 14 months. And as his own treasurer, Mr. Caplan, or whoever it was—

Mr. Lewis: Doctor.

Hon. Mr. Davis: —Dr. Caplan—I am sorry—a very distinguished academic up at the Ontario Institute, observed himself that he had known of these letters; the party had known of these letters; they felt there was nothing of substance. And I say to the member today there is still nothing of substance.

I have no intention of having a royal commission. I say to the leader of the New Democratic Party I am disappointed at his involvement and his suggestion, as a result of the tabling of those letters yesterday, that this alters whatsoever the facts that nothing improper was done in what is the main allegation in the purchase of the land in Oakville from one Mr. Feldman. And I tell you—

Mr. Lewis: That is a complete diversion, a deliberate, defensive diversion.

Hon. Mr. Davis: Oh, it is not.

Mr. Lewis: It has nothing to do with the land, or the letters.

Hon. Mr. Davis: The member doesn't like to hear the truth. He doesn't like to hear the truth.

Mr. Lewis: No, sir. The Premier mustn't lecture to me about political morality.

Mr. J. M. Turner (Peterborough): The member should be lectured to.

Interjections by hon. members.

Mr. Lewis: That is right. It's turning to sawdust on the tongue of this government. The Premier shouldn't lecture to me about it.

Mr. Speaker: Any further questions?

Mr. Lewis: I have a supplementary. Does the Premier mean he doesn't understand that a man like Shouldice, who so clearly debased the political process in this province, who had the political morals of an alley cat and whom the Premier was offended by, still eight months later had access to the corridors of power and dealt directly with his confidants and intimates, and he doesn't see that this is worthy of some examination in terms of what it says about the political process in the province? I believe what the Premier said about his own view, but what does it say about the rest of the party's apparatus? How does the Premier allow that to occur and how does he defend it publicly? Let him not hurl charges at me but answer to his own behaviour.

Hon. Mr. Davis: Mr. Speaker, I'll answer to my own behaviour. When this gentleman came in to see me, he made his observations. In spite of the suggestions made in today's story, it was determined without any question that that particular individual was not to be involved in the financial and organizational aspects of the party.

Mr. Lewis: Who told him, Mr. Speaker?

Mr. D. C. MacDonald (York South): Who told him?

Hon. Mr. Davis: Mr. Speaker, I can only say this, I cannot control what Mr. Shouldice writes or who he wants to see. He was not seeing people on the basis of financing or organization. He saw two or three ministers on the basis of recommendations as to who should be the regional chairman. Mr. Speaker, you've got to recall that Mr. Shouldice was not charged at this moment and he wasn't under prosecution. While I know the hon. member—

Mr. Lewis: That is also a diversion.

Hon. Mr. Davis: —would like to see somebody's blood, I guess, I can only say to him—

Mr. Lewis: Why did the Premier allow him even to consult with his people?

Mr. Speaker: Order, please.

Hon. Mr. Davis: —there is just nothing—

Mr. Lewis: Why did the Premier allow him into his office? Why did he deal with such people?

Hon. A. Grossman (Provincial Secretary for Resources Development): It's an accessible office.

Hon. Mr. Davis: Mr. Speaker, he came into my office as a result of a request for an appointment.

Mr. Lewis: To discuss patronage. He put it in his letter.

Mr. Speaker: Order, please.

Hon. Mr. Davis: To discuss the results in Sudbury.

Mr. Lewis: Oh, come on! Why doesn't the Premier send him a letter and say, "Don't ever correspond with me"?

Hon. Mr. Davis: Oh, sure! Just as the member has sent letters to people in his party. I know how many he has sent—none.

Mr. Lewis: Well, I have not, happily, had the rotten apple brought forward yet, although I have no doubt it exists. Does the Premier think it's appropriate that a man who has indicated to the Premier the way in which he does business on the part of the Conservative Party never be reprimanded; that he never be written to and that he never be called and told he's debasing the political process? Is that the way the Progressive Conservative Party does business? Because if it is, that's the way the government does business. The two are inseparable.

Hon. Mr. Davis: With great respect, Mr. Speaker, it is not the way the government does business nor is it the way the Progressive Conservative Party does business.

Mr. Lewis: Well that is what—

Mr. Speaker: This is not the proper use of the question period, the way it is generally developing right now.

Mr. J. A. Renwick (Riverdale): By way of a supplementary question—

Mr. Speaker: If it is a question of information, the hon. member may ask it.

Mr. Renwick: By way of a supplementary question, was the Premier questioning the statement by the leader of the New Democratic Party that those letters came into the possession of this party and of the leader on Tuesday of this week?

Hon. Mr. Davis: Mr. Speaker, I am not questioning that. I am only saying that there was certain information contained in one of the letters that was tabled here yesterday that obviously, whether it came from one of those letters or elsewhere, was the basis of part of the Globe and Mail story on Monday. And I can only say—

Mr. Lewis: No, that's not true.

Mr. Martel: That's not true.

Hon. Mr. Davis: Well all right. Where else did the Globe and Mail get the information as to what lawyers to go to talk to and so on? It had to come from somewhere.

Mr. Renwick: It had nothing to do with—

Mr. Lewis: It was in the letter to the Premier.

Mr. Martel: The Premier should read the letter to himself.

Hon. Mr. Davis: It wasn't in the letter to me.

Mr. Martel: It was. It certainly was.

Hon. Mr. Davis: It was not.

Mr. Martel: Look at the letters of Nov. 7 and 16.

Mr. Speaker: Order.

Mr. Lewis: Mr. Speaker, I want the Premier to answer this question for me then.

Mr. Martel: He had better read his mail.

Mr. Lewis: When the Premier gets a letter from Ross Shouldice on Oct. 22, 1971—maybe he could just answer this for me—saying that he wants to come into his office to discuss matters of political patronage, why does he see him? Why does he not reply to him to repudiate him? Why does he see him?

Hon. Mr. Davis: Mr. Speaker, there were two aspects to the letter. As I read the letter of Oct. 21, it didn't refer to any specific firms or anything else.

Mr. Martel: Read the letter of Nov. 16.

Hon. Mr. Davis: I would say, Mr. Speaker, that I agreed to see Mr. Shouldice. I am interested in the welfare of this party. As a result of that meeting, I made my determinations, and the member knows what they were.

Mr. Martel: He listed everything to the Premier in the letter of Nov. 16. The Premier had better check his files again.

Mr. Speaker: Any further questions?

Mr. Lewis: Why has the Premier maintained so consistently over the past two or three years that he has never known anything of the funding process within the Conservative Party, when, in this instance in any event, he was directly involved?

Hon. Mr. Davis: Mr. Speaker, I can explain that, and if the hon. leader of the New Democratic Party can't understand this, I am sorry—well, I am not sorry; that's his problem.

I have maintained a very specific policy as it relates to the financing of the Progressive Conservative Party that there are no quid pro quos, there are no tickets, there are no nothings. People contribute to this party on the basis of believing what it is attempting to do in its philosophy, its approach, its ability, and that has been the sole basis for fund raising as far as the party is concerned in this province.

Mr. Lewis: It is harder and harder for people to believe that, unless the Premier has an inquiry.

Hon. Mr. Davis: That was the case and it is still the case, and the member knows it.

Mr. MacDonald: Political scientists have debunked that contention years ago.

Mr. Speaker: I think this matter has gone on long enough. Does the member for Scarborough West have further questions?

Mr. Lewis: Why doesn't the Premier hold an inquiry if that is the case?

Hon. Mr. Davis: Into what?

Mr. Lewis: Into the behaviour of Kelly and Shouldice, that's what. I don't know the answers. Why doesn't the Premier open it up? He may want to inquire into us at the same time.

Mr. Speaker: Order. Does the member for Scarborough West have further questions?

Mr. M. C. Germa (Sudbury): Supplementary, Mr. Speaker?

Mr. Speaker: No, the matter has been pursued. The member for Downsview.

GOVERNMENT ACTION AGAINST DOW CHEMICAL

Mr. Singer: I have a question of the Attorney General, Mr. Speaker.

Now that the Attorney General has had a little time to find his way around his new department, has he any new opinions, or any opinions, or can he bring us up to date on that other great 1971 decisive approach, the suing of the Dow Chemical Co? Can the minister tell us what the status of that action is or what it is likely to be?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): I am advised, Mr. Speaker, by law officers—because I anticipated the member for Downsview would be interested in the progress of this case—that the discoveries or the examinations have been substantially completed and that the matter will be further reported on in a statement I intend to make in a very few weeks, in possibly three or four weeks, or right after the House reconvenes. Perhaps I could make a fatuous comment, but I won't. I think we should press on with it. I share the member's concern.

Mr. Singer: By way of supplementary, could the Attorney General tell us how the discoveries could be substantially complete when, as I understand it, the question of the answers which are being sought from Mr. Hilton have not yet been determined by the court and the pleadings are not, in fact, completed? How then could the discoveries be complete?

Hon. Mr. Clement: I am only passing on the information as I understand it. The counsel appearing for the province has been contacted, as I understand it, as recently as

about a week ago by the deputy minister for an up to date report. I am concerned about it. I think we have got to get on with it. I don't disagree with the member in any way, shape or form, and I will report back to the House or to the particular member as soon as I have the file before me. I have not perused the file; I am relying only on oral reports given to me by my staff.

Mr. Singer: By way of one very brief additional supplementary, could the minister, at his earliest convenience, bring us up to date on the amount of money that the Province of Ontario has paid to outside counsel and other assistants for the pursuance of this important lawsuit, which has been pending now for four years? Is it substantially over the $100,000 figure which we thought it reached about six months ago?

Hon. Mr. Clement: I will have to take the question as notice. I just don't know, but I will inquire for the member.

Mr. Speaker: The member for Yorkview.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. F. Young (Yorkview): Mr. Speaker, a question of the Minister of Transportation and Communications: In view of the demonstration outside and the fact that many of the dump truck owners are now sitting in the gallery, I wonder if the minister could bring us up to date with respect to his activities in connection with the solution to their problem?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I can only repeat what I said to the hon. member on Monday of this week, I believe. One of the requests that has been made to me by the members of the dump truck association—namely, the one here in Metropolitan Toronto—was that there be an inquiry into the total operation of dump trucks in the province. I have agreed to such an inquiry and, as I said earlier this week, I am in the process now of attempting to appoint a competent, capable inquiry officer. I have made several contacts. One person whom I felt would have been most qualified has declined because of other activities and we are contacting others presently. The inquiry will be started just as soon as I can get a person who is qualified to handle this particular problem, and I can assure the hon. member and the members of this House, and the members of the association, that the inquiry will not be prolonged. It will be done quickly in order to come up with some answers to the problems that are facing the operators of the dump trucks.

Mr. R. F. Ruston (Essex-Kent): A supplementary.

Mr. Young: Could I ask a supplementary question?

Mr. Speaker: Yes. A supplementary first from the member for Yorkview.

Mr. Young: We appreciate the fact that the inquiry will be held and will be short, but in the meantime there is desperation among these people. Is the minister planning to meet the executive of the association today to discuss what interim measures might be taken to save the situation while the inquiry is going on?

Hon. Mr. Rhodes: No, Mr. Speaker, I have no intention of meeting them at this stage. I see no value to a meeting. I've met with them several times, and I've met with their solicitor. We are fully cognizant of their problems, but there is no easy solution.

This industry is spread clear across this province, and there are varying opinions from various parts of the province. I cannot meet with each individual group and attempt to solve it for a particular area. There is a problem here in Metro that has been brought to me by one association; there are also problems in other parts of the province, including the northern and eastern parts, and I'm attempting to find a solution that I hope will be acceptable to all of them.

As I say, there is no value in me holding a meeting, and I've told that to the president of the association. I have met with him on a number of occasions. I know what the problems are, and I agree with him when he says that an inquiry would go a long way towards solving them; and this is what I want to do.

Mr. Speaker: The member for Essex-Kent.

Mr. Singer: A supplementary, Mr. Speaker.

Mr. Speaker: Order please. The member for Essex-Kent has a supplementary.

Mr. Ruston: Mr. Speaker, since the minister has made a commitment to have an inquiry, would he now consider prohibiting the issuance of any more class F licences until the inquiry is over?

Hon. Mr. Rhodes: I'll consider that. I am not overly enthusiastic about that approach, but I'll certainly consider it. I recognize that one of the problems is that there are so many of these licences around. Yes, I will certainly consider that.

Mr. Singer: By way of a supplementary, hasn't the minister had any reports from the civil servants over the many months that these people have been pressing for some kind of action? Is there nothing in the reports he's had that indicates he can't take some immediate action to help the people who are suffering from this very grievous problem?

Hon. Mr. Rhodes: Mr. Speaker, I have had many discussions with the people in the civil service who are and have been intimately involved with this problem for a number of years. Quite frankly, we are not able to come up with what would be a solution even on an interim basis at this stage because, as I think the hon. member is well aware, it's a very complex problem that is compounded by the fact that these particular operators have not been required to appear before the board to show cause that they should have their licence issued. They've just been issued to them upon request. This was done a number of years back when they were deregulated. Now they wish to be regulated again.

We do have some problems, and I've had many discussions with them. I appreciate this problem, and I hope I can be a party to having it solved. I do really believe an inquiry is the way to do it.

Mr. Singer: How long is it going to be before an inquiry is started?

Hon. Mr. Rhodes: I would have liked to have started it yesterday, and I would have if I could have found a good qualified person. I don't think you can just pick somebody out of the woods to handle this. They must have some knowledge of the problem. We have two or three people we're contacting now, and as soon as I have an okay from someone who is qualified to do this, he will be appointed immediately and the inquiry will start immediately—this afternoon if possible.

Mr. Young: It should have been done a year ago.

Mr. Speaker: Are there any further questions from the Liberal Party? The member for York Centre.

LAND TRANSFER TAX EXEMPTIONS

Mr. D. M. Deacon (York Centre): I have a question of the Minister of Revenue.

Does the minister agree with the select committee's recommendation on foreign ownership of land that the purchase and acquisition of land, particularly in the "golden horseshoe" and other developing areas and recreational areas of the province, has reached serious levels and should be discouraged? If so, what guarantee of job opportunities does the government require in order to justify exemptions from the 20 per cent land transfer tax, which now amount to many millions of dollars, on acquisitions and purchases by foreign corporations?

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, I think that question in part should be directed to the Treasurer (Mr. McKeough) inasmuch as he is the man with the input as to the growth pressures and what not in all of Ontario, not just here in Metropolitan Toronto and in the Toronto-centred region.

When it comes to exemptions under the Act for foreign corporations or others seeking to set up industry here, we do not have specifics. If they qualify by affidavits attached to their documents, then their documents would be registered, subject to the payment of the land transfer tax at the lesser rate rather than at the non-resident 20 per cent rate. I don't have immediate access to the statistics either. What I did have over the first six or eight months of the use of the bill was access to that information, because they did not have the right to register short of paying the 20 per cent non-resident tax unless they could swear that they were not a non-resident. But now they can.

The members opposite were after us in the government to delineate, and with these guidelines laid out and the principles established, many of these transactions will now take place without any necessity for them to come to my ministry for an express clearance. Only the ones that do not qualify by the express exemptions set out in the Act—and which the members of the Liberal Party endorsed when this bill was before the House in December—many of those exemptions now clear the way for normal growth patterns.

But where they do not qualify, then those transactions would still come before my ministry for clearance. They would have to demonstrate that it was in the best interests of Ontario, that they were bringing new

technology, and they would be developing new product lines that might very well enhance the economy of Ontario or the balance of payments of Canada in the foreign markets. It is that kind of thing, then, that would be one of the principles which again would give an exemption. And that kind of an exemption would be made public—because, of course, it would be by an order in council.

Mr. Deacon: Supplementary: Since the DREE legislation sets out definite areas where exemptions or assistance can be given to organizations that are setting up business in those areas, why is it not possible in this taxing statute to set out the areas so that we do not continue to encourage land acquisitions by foreigners in the areas where there is tremendous pressure on land purchases, and where we do want to cause land values to get down to more reasonable levels, instead of remaining at present-day inflated levels? Why doesn't the minister adopt that type of principle, instead of this idea of blanket exemption regardless of where they acquire land?

Hon. Mr. Meen: Mr. Speaker, originally when the Treasurer and I were discussing these bills in the spring, I know that he and I felt that in the interests of good planning in this province that the non-resident tax was another and possibly very useful tool that could be used for steering the development of industry and commerce in areas in which further growth was desirable.

However, there was criticism from many quarters—from some members opposite for that matter, too—that this was an unfair application of a tax. That if we were going to use incentives for development of industry in depressed areas of the province, it should not be via a taxing statute which was applicable only to non-resident individuals or corporations, but rather that we should use incentives under the aegis of the Ministry of Industry and Tourism in which ministry there is the expertise to determine the extent, if at all, to which some kind of assistance should be granted.

So, rather than use the taxing statute in a rather heavy-handed and perhaps clumsy fashion, it was felt by my colleagues and me that rather than use it for the purpose of exemptions or non-exemptions, and as a tool to move industry into depressed areas, we would not apply it in that fashion. Rather, we would leave that kind of thing to the expertise of the Ministry of Industry and Tourism, from whom we were seeking advice in the first instances anyway.

When these questions came up and we were looking at proposed developments in eastern Ontario, we would go to the Minister of Industry and Tourism (Mr. Bennett) and seek his advice as to whether that was or was not a desirable activity in that particular instance.

Mr. Deacon: Supplementary.

Mr. Speaker: Final supplementary.

Mr. Deacon: The ministry has obviously abandoned the principle of trying to discourage foreign ownership of land in this way. Why does the ministry not just forget the tax completely instead of continuing this present farce?

Hon. Mr. Meen: Mr. Speaker, obviously that was only one way in which the tax would be applicable. There are many other facets of that tax that make it a highly desirable tax to this day.

Mr. Speaker: The hon. member for Sandwich-Riverside.

UNEMPLOYMENT IN AUTO INDUSTRY

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Labour. In view of the high unemployment levels in the automobile industry, has the minister decided to withhold overtime work permits and to reduce the work week to 40 hours and the work day to eight hours?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, we are giving consideration to the matter of overtime permits; but the answer to the other is no.

Mr. Burr: Supplementary: Has the minister discussed this matter with the officials of the UAW?

Hon. Mr. MacBeth: There has been no recent discussions. I have had discussions from time to time with members of the UAW, Mr. Speaker. I don't recall any recent discussions that I have had specifically on this matter. When we have these meetings we cover a wide range of subjects. I would say again that the answer to the last part is no. I can't recall that we have had any discussions. I've had representations made by certain unions that we should do this but I can't recall any recent discussions.

Mr. Speaker: The Minister of Energy has the answer to a question.

GAS RATE INCREASE

Hon. D. R. Timbrell (Minister of Energy): Mr. Speaker, on Monday the Leader of the Opposition (Mr. R. F. Nixon) asked a series of questions regarding rate increases for natural gas. Although he didn't name the company involved, I am assuming that the member was referring to Union Gas Ltd., a gas distributor in the southwestern part of Ontario, and to a recent decision by the Ontario Energy Board.

On Dec. 24, 1974, the board approved, on an interim basis and subject to adjustment, certain rate increases for Union Gas with respect to all meter readings or estimates made on or after Jan. 1 of this year. In the case of certain of the company's customers the rate increase provisionally applied to the gas consumed in the first two weeks of December. The unfairness of this was recognized by the board and will be dealt with—in fact, it is being dealt with by the board—when its final order will be made after the hearings which resumed on Jan. 20 of this year.

I should mention, Mr. Speaker, a copy of this decision was sent by the chairman of the Energy Board to the hon. Leader of the Opposition as well as to the member for Essex South (Mr. Paterson) who had inquired earlier. In effect, Mr. Speaker, although the board was satisfied that Union Gas needed rate relief on an interim basis, it decided to require Union Gas to develop a mechanism for getting all of their customers the benefit of the lower cost gas which had been purchased in the summer and held in inventory until it was completely consumed by mid-December, 1974, when the more expensive gas was supplied. If the rate increase had applied on sales of that lower cost gas the company would, in effect, be re-pricing gas on the shelf. The board was obviously concerned that this should not happen and that a way had to be found to pro-rate the cost of the cheaper gas used up to mid-December and the more expensive gas used thereafter.

This pro-rating problem apparently arose out of the fact that Union had not thought it necessary to develop a system for pro-rating or adjusting the bills around the mid-December date to cover customers whose billing period started before the date and ended after that date. The company stated that three months would be required to develop the system. The board was satisfied that to delay a rate increase for this period of time would impair the company's ability to provide service to its customers. However, the board insisted that a pro-rating system was necessary to protect Union's customers and it has advised the company to that affect.

Mr. Speaker: The hon. member for Welland South.

PORT COLBORNE TUNNEL

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I have a question of the Minister of Transportation and Communications. Can the minister indicate to the House what progress the ministry has made in bringing about an early decision on the construction of a vehicle and pedestrian tunnel in the city of Port Colborne and is the request for this project before the cabinet for approval of construction funds?

Hon. Mr. Rhodes: Mr. Speaker, I think the hon. member is referring to the situation that was created as a result of the bridge being knocked down by the lake freighter. The member has me confused a bit here because I dealt with something this morning.

Mr. Haggerty: In the city of Port Colborne, not the village of Port Robinson.

Hon. Mr. Rhodes: I'm sorry that I can't give the hon. member a definite answer at this time. We have been considering that in conjunction with this other unfortunate incident. Perhaps I can get some of the information out of the file and send it to him for his information.

Mr. Speaker: The hon. member for Port Arthur.

DEATHS IN THUNDER BAY JAILS

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker, I have a question of the Solicitor General.

Has the Solicitor General been made aware of the three recent deaths in Thunder Bay jails during the past month or so and, particularly, has he received the report from the coroner's inquest to the suicide by hanging of Vernon Nokonogis in the Thunder Bay district jail? Is he willing to order a re-opening of the inquest in view of the fact that one of the prisoners who felt he had relevant evidence asked to testify at the inquest and was apparently refused and, further, that Mr. Nokonogis himself had apparently asked for psychiatric help and was ignored?

Secondly, with regard to the two deaths in the police lockup in the Port Arthur ward Thunder Bay city jail, is the Solicitor General aware that grand jury reports over the past several years have consistently condemned that as a lockup unfit for prisoners and that no action was taken?

Hon. G. A. Kerr (Solicitor General): Yes, Mr. Speaker, to answer the hon. member's last question, I am aware of the grand jury reports. It is a matter of replacing that rather ancient facility. I am also aware of the deaths. I am not aware that the coroner's verdict is available on the inquest. I will check into that. As soon as they are available I will study them, and report back to the hon. members.

Mr. Foulds: Supplementary, if I might, Mr. Speaker. While the minister is making the investigation, is he aware that public reports in Thunder Bay indicate that the inquest found no blame attached, but since then additional evidence has apparently come forward that might be relevant?

Hon. Mr. Kerr: In a circumstance such as that, Mr. Speaker, it is possible to reopen the inquest.

Mr. Speaker: The member for Huron-Bruce.

BRADLEY-GEORGETOWN HYDRO CORRIDOR

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Energy.

Given the fact that the former Minister of Energy (Mr. McKeough) announced in July 1974, that approval of the southern 500 kw transmission corridor between Bruce and Georgetown via Kitchener was being withheld pending review of the long-range plan for Ontario Hydro; and given the fact that on Jan. 16, 1975, the Globe and Mail reported a statement by the new chairman of Ontario Hydro, Mr. Robert Taylor, announcing that blueprints outlining the expansion of North America's second largest electrical utility will stay as they are; and given the fact that Hydro itself has said that it would be impossible to conduct a review impartially on this matter, would the minister consider appointing Dr. Solandt, or some other person of similar capacity and experience, to conduct an independent study of this particular corridor?

Hon. Mr. Timbrell: Mr. Speaker, I will be glad to take that under consideration and as quickly as possible give the member an answer. I should say too that I would hope, in the very near future that either myself or the Provincial Secretary for Resources Development will announce the full terms of reference for the long-range plan review and the names of the people involved with it But I will take that under consideration, yes.

Mr. Gaunt: Supplementary, Mr. Speaker: Would the minister agree that it's impossible for Hydro or any body of that nature to conduct a review of its own action and have it objective? The review tends to reinforce the original decision.

Hon. Mr. Timbrell: I am not so sure that that's the case, Mr. Speaker. I have great confidence in both the chairman and the president of Hydro. I don't know that we can answer the question today as to the member's particular problem. I will take under consideration whether it goes into long-range review or whether it goes into a separate local review.

Mr. Deacon: Supplementary: Since this government has already been embarrassed by the plunging ahead with the $140 million development at the north end of this city without proper review—an impartial review—and now is causing the government some embarrassment in the instance of the Spadina Expressway, in view of the fact that this corridor down through the—

Hon. W. Newman: Why doesn't the member ask the question?

Mr. Deacon: I shall ask a question in due course. It's just that it's a little difficult sometimes to ask a question with those members shouting away there.

Hon. W. A. Stewart (Minister of Agriculture and Food): The members over there are always complaining about the question period—they want to make speeches.

Interjections by hon. members.

Mr. Speaker: Order please. Is this supplementary to the original question? It hasn't been put yet.

Mr. Deacon: In view of the fact that this new transmission corridor down through Limehouse is going to involve an expenditure of $150 million and that, in fact, that corridor may be completely unnecessary when the long-range review is done, would the minister hold up any further action by Hydro in the acquisition of those rights-of-way until the review is complete?

Hon. Mr. Timbrell: No.

Mr. Speaker: The member for Sudbury.

ALLEGED STATEMENT OF PARLIAMENTARY ASSISTANT

Mr. Germa: Mr. Speaker, a question of the Minister of Labour. I would ask the minister how he reacts to a statement made in Guelph on Wednesday last when his colleague from Scarborough Centre (Mr. Drea), in responding to a question from the audience, said that the present dilemma in labour relations in Ontario was caused because the present Minister of Labour was gutless, and went on to identify him by name?

Mr. Haggerty: Can we have a side profile here?

Hon. Mr. MacBeth: I react with anger, Mr. Speaker.

Mr. Singer: What is the minister going to do about it?

Mr. Speaker: The member for Windsor-Walkerville.

EXTENSION OF GAINS LEGISLATION

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Revenue, if I can get his attention.

Is the minister considering any amendments to the GAINS legislation and/or regulations so that when an individual is completely disabled and certified as disabled by the Ministry of Community and Social Services, that individual's spouse would be entitled to the same GAINS consideration as is given to a resident of the Province of Ontario who qualifies for GAINS solely by residency rather than by disability?

Hon. Mr. Meen: Mr. Speaker, I have to say that I am not giving active consideration to that at the moment. That does not mean that we should not.

The whole GAINS programme is under constant review by the Ministry of Community and Social Services, by the Ministry of Treasury, Economics and Intergovernmental Affairs and by my own ministry to determine the way to pay out the moneys that are available through the various funds of this province. We recently increased the amount to a total of $2,766 a year for an individual, or twice that for a married couple. There are other plans doubtlessly being studied in the various ministries.

I have noted the member's question, and I will ask my staff to look into this—for one thing, we would have to analyse the degree of cost involved—to see if this is something that might be considered by the Treasurer when he is looking at his next budget.

Mr. Speaker: The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Mr. Speaker—

Mr. B. Newman: A supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. B. Newman: Mr. Speaker, is the minister aware that the cases I am bringing to his attention are those where an individual is paralysed or disabled to the extent that the individual's spouse must spend full time at home taking care of the individual and, as a result, only qualifies for social service benefits which are nowhere equivalent to the GAINS benefits that the spouse might obtain?

Hon. Mr. Meen: Mr. Speaker, no, I am not really conversant with that end of things. I think that would fall more directly under the administration of the Ministry of Community and Social Services. But I will speak to my colleague on that point and see whether it is appropriate that some assistance might be extended in that area.

Mr. Speaker: The member for Nickel Belt.

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. Laughren: Thank you, Mr. Speaker. A question of the Minister of Colleges and Universities. In view of the fact that the financing of some of the universities in the province is becoming critical, and indeed there is a danger of the quality of education at the post-secondary level deteriorating in Ontario, would the minister consider a review of the financing of the post-secondary institutions in order that they can operate without deficit financing?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I don't think I can add anything to what I have said in this House about the formula funding for the post-secondary institutions.

Mr. Laughren: Well, a supplementary, Mr. Speaker: Just what does the minister see as the solution for some of the universities that are faced with very serious financial problems? Indeed, the people who are going to be hurt the most are people like the students on a part-time basis. There is a deterioration in the level of the library services being delivered in the institutions. Does the minister see no solution for them? What do we do with the university that has a $4.5-million deficit or, as in the case of Ottawa university, a $2.5-million deficit? What is the solution for them? The government is not even backing their loans.

Hon. Mr. Auld: Mr. Speaker, again I will be repeating myself. I have indicated that I expect there may well be deficits of a temporary nature—one or two years—for some of the institutions. They have had this before and they have solved their problems. I have also said that—I think it was two years ago—they anticipated at the beginning of their fiscal year a total $14.5-million deficit. When the smoke cleared away, it was just a shade over $1 million.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Mr. J. A. Taylor from the administration of justice committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Mr. Speaker: Shall the bill be ordered for third reading? Agreed.

Motions.

Hon. Mr. Winkler moves that the standing social development committee be authorized to sit concurrently with the House for its consideration of Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Motion agreed to.

Mr. Speaker: Introduction of bills.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before the orders of the day, I want to table answers to questions 23, 27, 31, 33, 35 and 36 currently on the order paper. [See appendix, Page 7131].

Mr. Speaker: Orders of the day.

Clerk of the House: The third order, House in committee of the whole.

ONTARIO HERITAGE ACT

House in committee on Bill 176, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario.

Mr. Chairman: Bill 176, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario. Are there any comments or questions on section 1 of the bill?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Chairman, just before we start, I might mention to the committee that I have several amendments, not of a major nature, that I'll be proposing as we go through. The first one deals with clause h of section 1.

On section 1:

Mr. J. Riddell (Huron): As a prelude to my remarks on various sections of this bill, Mr. Chairman, I would like to say there is a relatively active organization in Huron county which is affiliated with the Architectural Conservancy of Ontario. Although this organization was given virtually no time to study the bill, it did have a chance to peruse a brief submitted by Heritage Canada and specifically asked me to support the concerns of Heritage Canada when the bill came in for second reading. Little did Heritage Canada know that the bill had received second reading, but fortunately the bill was sent into committee so that members would have a chance to make some comments, having been given very little opportunity to study the bill after its introduction into the Legislature.

In connection with section 1, if I recall correctly the remarks made during second reading, Mr. Chairman, I believe the question was asked by one of the members about the definition of "heritage," which is not defined in the bill. The minister's answer was that his dictionary said "heritage" was what is or may be inherited, and in a simple form it is history. This answer, of course, does not satisfy the concerns of those interested in conserving, protecting and preserving the heritage of Ontario.

In terms used by Heritage Canada, by

dictionary meaning, by common usage and by Ontario government interpretation, "heritage" is a very broad term indeed. For example, the government of Ontario officially used the term "Heritage Ontario" for a major conference, apparently devoted mainly to the cultural heritage of ethnic groups. Does the government of Ontario intend that the present Act be so broad as to encompass such uses of the word "heritage" as the government has already employed, or is the intention of the legislation to refer more particularly to real estate, works of art and other personal property? Does "heritage," as used in this Act, include also natural or designed landscape which may be found in the holdings of conservation authorities? These questions would appear relevant to the role of the Ontario Heritage Foundation.

Mr. Chairman: Any other comment? The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): I, too, share the consternation of Heritage Canada about the whole question of what heritage is. I think I shall wait until we get to section 10 to question the minister more specifically on what he means about heritage; and also when he talks about funding, whether he is talking about historical events as well as historical sites and buildings and so forth.

I think there is a feeling by many people in the Province of Ontario that the legislation is somewhat fuzzy. In some cases it gives responsibility to the municipalities that perhaps the province itself should be assuming. I shall wait until we get to section 10 to deal with it specifically.

Mr. Chairman: Does any other member wish to comment?

Mr. Riddell: Are we up to section 7 now, or are you on section 1?

Hon. Mr. Auld: I hope we are still on section 1, because I have an amendment.

But just to reply to the comments of the hon. member for Huron; I would remind him that actually we sent a copy of the bill when it was first produced to Heritage Canada and asked for their comments.

The hon. member said the word heritage was not defined, but it was not defined specifically because it is a very broad term. I think section 7, which sets out the objects of the foundation, and other sections throughout the bill, indicate what we consider are the priorities at this time.

However, since this is a new kind of an operation, we hope to be able to keep it fairly broad in its activities and not to restrict it. We are involved with the present heritage foundation in the acquisition of land, for instance, through donations. This, I would assume, would continue.

However, we don't propose the heritage foundation acquire land for park purposes in competition with the Ministry of Natural Resources, for instance, and the conservation authorities in municipalities.

I think we will find, as the operation proceeds, that they may broaden their field of activities. I would not like to see us at this point attempt to define a word which has a very broad meaning.

Hon. Mr. Auld moves that clause h of section 1 of the bill be repealed and the following substituted therefor:

(h) "Minister means the Minister of Culture and Recreation."

Motion agreed to.

Mr. Chairman: Is section 1 of the bill approved?

Mr. Laughren: Are you talking about part 1?

Mr. Chairman: That's section 2 isn't it?

Hon. Mr. Auld: Section 1 is just the definition.

Section 1, as amended, agreed to.

Mr. Chairman: Any questions or comments? Any comments or amendments on any section of the bill up to section 7?

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I have some comments I would like to make on section 5 of the bill.

Sections 2 to 4, inclusive, agreed to.

On section 5.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, the section explicitly sets out the composition of the board of directors as being not fewer than 21 persons. May I suggest to the minister that in the selection of the 21 people, he make it a geographical selection so that all parts of the province can be represented. Likewise, that he consider the contribution of the native peoples to the province so that at least there is some native representation.

In addition, I would suggest to him that he consider the ethnic composition of the

province so that the ethnic community is not forgotten. They have also made a substantial contribution to the early development of the Province of Ontario. They should have some representative or representation on the board of directors so that there can be an ethnic overview of any recommendations made by the board of directors to the foundation.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I would also speak to that particular point as raised by the member for Windsor-Walkerville.

I presume that the only way we could have, perhaps, a completely satisfactory board in this circumstance would be to have some 7.5 million people as members of it. However, it does seem that we are attempting here to develop a new approach. If it is to be successful, then the foundation is going to have to be as broadly based as the member for Windsor-Walkerville has suggested.

There are, of course, considerations of distance and location that might create a bit of a problem at times; but with the means of communication we have, there should be no difficulty in getting the kind of diversity that would be useful. Of course, there must be an input from the native peoples of the province, and also from the other particular groups of European and other ethnic backgrounds that have now developed Ontario to the province which it is.

I hope the minister will be able to base the membership of the foundation as broadly as possible, because I think that would be the best way to get this foundation meaningfully involved in all the streams of heritage that make up our province.

Mr. Chairman: The member for Nickel Belt—which section?

Mr. Laughren: Section 5.

Mr. Chairman: Section 5?

Mr. Laughren: I'm concerned about the makeup of the board of directors to 21 persons, because I've seen in the past what happens with government appointments to such boards.

I don't know whether you could write it into the legislation or not, but I would hope that there be regional representation on the board. I think most of us would agree that at the present time the cultural amenities of the Province of Ontario tend to be concentrated in the southern part of the province, and indeed in Metropolitan Toronto. Only by making sure there is strong regional representation we will be able to disperse our cultural assets across the province.

I look at things like the Royal Ontario Museum and the Art Gallery, and so forth, and I see everybody in the Province of Ontario paying for them with only a relatively small proportion of the province, geographically speaking, benefitting from it. It seems to me that only with very strong regional representation—and I don't mean Art Grout—will we have the kind of support needed, for northern Ontario in particular, on such a board.

The other aspect, of course, is the old question is of how many women you intend to appoint on the board. I hope that without getting into the whole quota system, you will ensure there is adequate representation of women on this board.

I wish to state as strongly as I know how to encourage you to make sure there is not just token representation from northern Ontario. Perhaps there may even be disproportionate representation from the north, because only in that way will the needs of the north be brought to bear and have sufficient weight on the board to really do something.

That is one of my major concerns about this whole bill. I see real dangers of most of the benefits that accrue from the creation of this and the funds that are to be provided once again being channeled into southern Ontario.

Mr. Chairman: Any other member?

Mr. Breithaupt: I have just one comment while we we're on this section, Mr. Chairman. We note under subsection 4 that a chairman is to be appointed and it is understood that the former member for Carleton East, Mr. A. B. R. Lawrence, is the chairman of the foundation. I'm wondering if the minister can advise us what the remuneration will be to Mr. Lawrence and also whether there will be any remuneration to the directors or will that be a matter for which expenses will be paid without any particular fixed remuneration?

Hon. Mr. Auld: Mr. Chairman, as far as the makeup of the board is concerned I'm sure that the Minister of Culture and Recreation (Mr. Welch), who will be actually submitting the recommendations, will take into consideration, and I'm sure he would have already considered, the comments that have been made in the last few moments.

I would remind the hon. members that on second reading, I believe, I indicated the

overall board was going to be broken up into four committees covering specialized sections of the work of the foundation. The archeological field, the historical plaque and history field, the building end and the administration of the funds.

I think we will be looking for people from all around the province; of both sexes and of a variety of backgrounds, people from those categories who have some knowledge or particular interest in the fields I've mentioned. It will not be an easy task to get the kind of representation which would be ideal. As the hon. member for Kitchener said, if we had 7.5 million people on the board we might be able to accomplish that, but might be a little unwieldy.

Mr. Laughren: You could ask Shouldice for his recommendations.

Hon. Mr. Auld: That gets to the second question the member just asked. I sometimes think it would be a great help if we had a panel of bisexual trilingual itinerants of a multiracial background to pick from, because in this ministry we have a great many boards. I can tell the hon. members that it is not always easy to find the kind of area, age, socio-economic male and female representation you want; but we keep it to two sexes, which helps.

Mr. Laughren: Your predecessor had a suggestion when I was making the plea for more labour and more women representatives on certain boards—I think it was in Colleges and Universities—his answer was to find a woman in labour.

Hon. Mr. Auld: I was going to say that, although that might conflict with the Minister of Health (Mr. Miller) and his family planning programme.

On the manner of remuneration, I would assume the members will be paid a per diem and their expenses, as members of the Archaeological Historic Sites Board and the Heritage Foundation now are. As far as the chairman's remuneration is concerned, I really can't say. I would assume it would start on a per diem basis. Whether it turns out that the work of the foundation is such that it be a full-time task, I can't predict at this point in time.

Mr. Laughren: Hasn't he already been appointed?

Hon. Mr. Auld: If that were the case, some sort of an annual sum, I imagine, would be established by cabinet on the recommendation of the Management Board.

Mr. Laughren: Is he not already performing duties for the government?

Hon. Mr. Auld: Mr. Lawrence?

Mr. Laughren: Yes.

Hon. Mr. Auld: He is presently the chairman of the Heritage Foundation. It is anticipated he will be chairman of the new body that is being set up in this Legislature.

Mr. Laughren: Is he on salary now?

Hon. Mr. Auld: I am pretty sure he gets his expenses. I'm not sure about per diem or not. I know he wasn't when he was a member.

Mr. Chairman: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Chairman, I have a couple of words on section 5. The Ontario Heritage Foundation is continued as a body corporate. I have found that when buildings and facilities are put up, at 100 per cent cost to the public purse by the Province of Ontario, and then when title is transferred to this corporation, which in fact has a private charter, these people who get to be chairmen of these boards—and without fail I have seen this reaction from these people—think that because they have been appointed to this particular board, and are on the board of directors of this particular foundation, and because they have a private charter, they are the owners of the building and that I, as a citizen of Ontario, can only stand out in the snowbank and look in the window without having any input. This happens very often, and particularly so in the case of administration of our hospitals.

The Province of Ontario sinks millions of dollars of public funding into building a facility; and then the hospital board of governors gets a private charter, and when a person such as myself tries to ask questions, intervene or say anything about the administration of the hospital—and I'm thinking now of a particularly abusive and repulsive chairman of a hospital in the city of Sudbury; about an $8 million edifice there, the new Laurentian Hospital—this particular man just waves his charter and says: "You've got nothing to say. I have a private charter and I'm the chairman of the board."

He wouldn't recognize that I, as a taxpayer and a citizen of Ontario, was also a shareholder. Even though I hadn't bought a $10 share in his Mickey Mouse corporation I am a shareholder through the payment of

taxes into the consolidated revenue fund. Here was a building constructed 100 per cent with public funding and I, as a taxpayer and a contributor to this particular investment, had nothing to say about it.

I'm thinking ahead into the next section, wherein you say that the foundation shall receive property, deeds and titles in right of the Province of Ontario. I don't object to the foundation or a board of governors or any body managing a facility on behalf of the Province of Ontario, but I do object to title to properties bought by the citizens of Ontario being put at the disposal of these small groups of people who think at that point in time that because they have a charter and because they have deed, they therefore own this facility.

There is a lot of dissension around the province about this. I have felt it strongly and I have recited one particular instance where these people with these private charters just seem to forget that they are servants of the public. I think what should happen is that the title deed and ownership to any property or facility should be held by the minister or by the government of Ontario, and that the management of that facility could be transferred to the foundation if necessary.

We have such arrangements. We have such institutions. I know of one in my city wherein this is how it functions. The Sudbury-Algoma Sanatorium is owned and title held by the Province of Ontario, but there is a board of management, a committee or a board, which manages the facility and it works beautifully. They don't get the idea, with their private charters and their deeds and their titles, that they are the owners. The board at the Sudbury-Algoma Sanatorium knows exactly where they are; they are only the managers of this facility on behalf of the Province of Ontario.

Why is it necessary to transfer title and deed to a corporate body which is one arm's length removed from this Legislature? We have very little control then, as legislators, over the activities of this foundation because it is a body corporate and because it has deed and title.

Hon. Mr. Auld: Mr. Chairman, first of all, I just remind the committee that the existing foundation—I'm afraid I haven't got the financial statement—but I think its assets are something in the order of $4.5 million or $5 million; all of which, with the exception of about half a million, has been donated to it by the public. There is about half a million dollars worth of tax money in the foundation at the moment. In the current estimates of my ministry, there is a further $1 million for the capital fund of the foundation, which is, of course, all taxpayers' money. But I don't think that the concerns expressed by the hon. member in relation to the general field would apply to the foundation, since it is a Crown agency. I would refer him to section 10(2), which says:

> Notwithstanding subsection 1, where in his opinion it is necessary in order to ensure the carrying out of the intent and purpose of this Act, the minister may exercise the powers of the foundation under subsection 1.

But, in fact, this Crown agency will be responsible to this Legislature through the minister to whom it reports, which will be the Minister of Culture and Recreation. Therefore, the concerns he has expressed will not apply to this kind of an operation.

I would also say, Mr. Chairman, we expect that there will be continued donations to the foundation; that is why the fund is being continued. There have been gifts made to the Crown in right of Ontario through the foundation in terms of land, buildings and money specifically to look after the restoration and/or maintenance of structures, and we anticipate this will continue.

Mr. Germa: Mr. Chairman, what the minister says is true. There are very many other arrangements in other ministries where the minister reports to this House on behalf of a particular Crown agency. But almost without fail, whenever we lodge a complaint or make something known to the minister, he will say: "I don't want to interfere with local autonomy."

This goes on almost every day of the week in regard to our hospitals. The minister says: "We have a board of governors. They are responsible. I don't want to interfere with their autonomy."

I can see the same thing happening as far as this is concerned. We are going to come to the minister with a complaint and he is going to say: "I don't want to upset the autonomy of the Ontario Heritage Foundation because they are responsible people. Go and talk to them." Well, there are already 320 boards and commissions and agencies for us to go and talk to; in fact, we can't find most of them. I would rather have more direct control from this Legislature over the ownership and activities of any of these facilities.

It is implied in the legislation, and I believe it to be true, that there is going to be a

more rapid increase in spending on the acquisition of historical sites by the Province of Ontario. I think it is envisaged in another piece of legislation that came into this House that there is going to be more rapid funding and larger funding from the Province of Ontario, and yet we are going to lose control. We as legislators are going to be transferring this facility and control one arm's-length further from this legislative floor.

Mr. Chairman: Any other questions prior to section 7?

Sections 5 and 6 agreed to.

On section 7:

Mr. Chairman: The member for Huron.

Mr. Riddell: Before I comment on section 7, Mr. Chairman, I would like to say that I might have been mistaken in suggesting that Heritage Canada had minimum opportunity to study and comment on the bill. Although having read their brief, I was interested to note that they stated:

> Heritage Canada, like other conservation groups, was given to understand that there would be opportunities to present views after the legislation was introduced into the Legislature. In these circumstances Heritage Canada must express disappointment at the decision of the government of Ontario to provide only minimum opportunity for conservationalists to comment. It hopes this decision will be changed.

Perhaps I was getting my understanding from a letter I received from the secretary of the Huron branch of the Architectural Conservancy of Ontario, wherein she states:

> Bill 176, the Ontario Heritage Act, which was introduced just before Christmas, is of great concern to our organization. We have had no opportunity to study it but, according to the brief of Heritage Canada, of which I am enclosing a copy for you, it is not an ideal piece of legislation to be saddled with for years to come.

I am sure they don't mean that they don't think there is a really good intent behind this bill, but that perhaps there should be amendments, which you have indicated will be coming in, that should be introduced if this bill is going to have a complete meaning.

As far as section 7 is concerned—and again I am expressing the concerns of Heritage Canada—section 7 provides that the foundation advise and make recommendations on any matter relating to the conservation, protection and preservation of the heritage of Ontario. Since neither here nor in the interpretation section of the bill is there any limitation on heritage, one must wonder whether such a broad objective might dilute the effectiveness of the foundation in dealing with the conservation of real and personal property.

From a reading of the legislation, an Ontario citizen might reasonably conclude that he should address himself to the Ontario Heritage Foundation on such questions as music, the dance, theatre, literature or the role of ethnic minorities and Indian culture. This section could imply for the foundation a role in all provincial museums. Heritage Canada submits that the effectiveness of the Ontario Heritage Foundation might be enhanced if its objectives were more precisely stated and limited.

In section 9, the matters upon which the foundation may advise the minister are set forth in a more limited way than they are in section 7. Is there any reason for the inconsistency between the two sections? The reason that I am expressing these concerns, Mr. Chairman, is that I am expected to attend the meeting of the Huron branch of the Architectural Conservancy of Ontario, and I simply want to get the views of the minister on some of these points.

Mr. R. Haggerty (Welland South): You had better have the answers.

Hon. Mr. Auld: Well Mr. Chairman, on the points that Heritage Canada raised, it would seem pretty clear to me that the Ontario Heritage Foundation, as distinct from the cultural affairs division of the Ministry of Culture and Recreation, won't be playing a role in music, dance, theatre, literature, those sort of things—except perhaps in the literature field with the writing of histories and so on.

However, I think Heritage Canada is quite correct in suggesting there will be a function of the foundation in relation to various provincial museums for instance. Certainly they will have some function, at least in research or on an advisory committee, in the historical parks programme which was operated by Natural Resources in some municipalities.

I think it is important that it is fairly broad, because there will be instances where the foundation may well be involved in, the field of literature, in a specific way but not in a general way. I think the fact that matters of the nature are in the cultural affairs orbit in Culture and Recreation as it is now proposed and were in the cultural affairs division of Colleges and Universities in the past, will ensure that we avoid dupli-

cation; but we will nevertheless, have the kind of very close liaison in these related fields that is necessary.

I don't really see the suggested inconsistencies betwetn 7(a) and 9. One refers specifically to the objects of the foundation and the other one, to the role the foundation may have in advising the minister about this variety of things.

I might just mention, Mr. Chairman, that the next amendment I have has to do with section 24.

Mr. Chairman: The member for Nickel Belt.

Mr. Laughren: I just touched on one thing when I was speaking earlier and the more I think about it the more it bothers me; and that is the kind of appointments you are going to make. Maybe there's no hope with any government that has been in power 30-some years, but I would like to see this foundation you are creating have appointed to its board, people you have traditionally overlooked. Can you just set aside for a moment all the old patronage—and I don't mean this in its evil connotation—all the old patronage kind of appointments that have been made by this government over the years, and forget about the Art Grouts and the Grace Grouts for a moment when you are making appointments, and put onto the foundation some young people who are interested in our heritage.

I would assume that labour and the struggle of labour is part of the heritage of the Province of Ontario and that you would look to that sector of society for an appointment to the board. I don't just mean the director of the steelworkers; there are all sorts of people in this province whom this government, almost by definition, overlooks and has nothing to do with at all.

(I know it's easiest to go to your friends and make your appointments from the recommendations of the members of the Legislature or the Conservative Party, or from the supporters of your party throughout the province. I understand that problem, and I don't know how you overcome that or how you deal with that. But I'm suggesting to you that the time has come when you must try to do so.

There's a real inherent danger, in a government such as yours, in not ever going beyond that. For example, that is one reason you have so few women on many of the boards across the province. Those people who are active in your association, those people who are the leaders of business and industry in the Province of Ontario tend to be men. And so, naturally, these are the people to whom you automatically look.

Let's forget about the patronage appointments when we're doing this and let's look to appointing people who have fresh ideas about heritage in the Province of Ontario.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to make comment and solicit information from the minister concerning either the object of the foundation; or it could also come under further powers of the foundation, maybe overlap both. The comments I will make could cover either or both, and it would be better to cover it now and get it out of the way.

I am wondering, Mr. Minister, about organizations that have already attempted to establish themselves in a similar field. I am thinking of a local organization, a historic vehicles association. They have attempted to preserve the early automobiles used in the county of Essex, where the automobile was really first brought into Canada back in 1907 by the Ford Motor Co. They have attempted to get various historic vehicles and set up sort of a museum. Now, rather than staying strictly with the automobile end of it, they decided they would develop a pioneer village like Ford's Greenfield village in Dearborn, or Upper Canada Village in the eastern part of Ontario. It would be set up in the centre of the county as a fairly substantial project. Not only would vehicles be presented to the public, but also one of the original school houses from the county of Essex, and other buildings of substantial historic significance would be reconstructed there.

They have already started on their project. Is it the intention of the ministry now to come in and take over and develop that project so that that type of a development could be accelerated? Or is it the intent of this legislation to allow such an organization to stay as they are and maybe attempt to get financial assistance from the ministry so they could develop it? Would the minister care to answer that?

Mr. J. F. Foulds (Port Arthur): Mr. Chairman, on a point of order; there is no quorum.

Mr. Chairman ordered that the bells be rung for four minutes.

Mr. Chairman: I am informed there is a quorum, we will proceed.

Mr. B. Newman: Mr. Chairman, I would like to ask a question of the minister. I think he knows what it is and probably for the sake of saving time he could answer it now.

Hon. Mr. Auld: Mr. Chairman, I think the way I would answer the hon. member's question is that the foundation under the objects and the intent of the legislation would be able to assist local groups within the amount of money which they have available. On the first point, there is no intention to take over local groups, historical societies, conservation groups, building conservation groups and that sort of thing.

Mr. B. Newman: In other words, the organization could carry on just as they have been carrying on except they could look forward to some type of financial assistance through the Ministry of Culture and Recreation so that they could accelerate their interest in the type of work they are undertaking? Am I right?

Hon. Mr. Auld: Yes, with qualifications. I think all these groups will be looking forward to assistance. I doubt there will be enough money available for all of them to get all the assistance they want as quickly as they want.

Mr. B. Newman: Mr. Minister, we recognize that and we know that no organization expects to get everything they ask for immediately; but they certainly would appreciate financial assistance after this is set up.

I wanted to ask the minister if it would be one of the projects of the organization to look into recommendations that are made by a municipality. For example, in my own community there was the St. Mary's Academy, you may be familiar with it, an old educational institution developed by the Ursuline Sisters. They no longer could operate the school, and as a result it was put up for sale and purchased by a developer.

In the meantime, there was quite an outburst by concerned citizens. I had asked the Ministry of Government Services to look into what possible use could be made of the facility by some agency of the provincial government. That was looked into by the ministry and likewise turned down. Some in the community insist there is some historical significance to the preservation of the academy. Would it be one of the responsibilities of this foundation to look into such recommendations or suggestions by either a citizen or a municipal council?

Hon. Mr. Auld: Mr. Chairman, we are really getting into part IV and to some extent part V. I think it is fair to say one of the major reasons for the introduction of this bill has been the request of municipalities to have authority to acquire some of the properties that the hon. member is mentioning. Again, how much assistance may be forthcoming from the province will have to be determined, looking at the demands and the resources available. But this will give—and no doubt I will discuss this in a little more detail when we get further on in the bill—this will give municipalities the authority to do some of the things and to preserve some of the structures which they have not been able to do in the past and which a number of them are very anxious to do.

Mr. B. Newman: Thank you, Mr. Chairman.

Mr. Chairman: The member for Huron.

Mr. Riddell: On section 10.

Mr. Chairman: We are only on section 7. Are there any other questions or comments up to section 7?

Sections 7 and 8 agreed to.

On section 9:

Mr. B. Newman: Mr. Chairman, I want to ask the minister for an explanation of the word "recreational" in line three of section 9, which reads: "The foundation may advise and make recommendations to the minister on matters relating to property of historical, architectural, archaeological, recreational . . . interest . . ."

Hon. Mr. Auld: Mr. Chairman, as an example, that would apply specifically in the case of the heritage park programme where there are a combination of objectives in the development of a specific property; there may be a historical interest as well as what we might call more participational recreational interest. Recreation has a pretty broad meaning.

Mr. B. Newman: The reason I asked, Mr. Chairman, is that the word "recreational" certainly covers everything you could possibly imagine. For instance, practically every community has a private golf course situated within its bounds, and there is tremendous pressure by developers to purchase these golf courses and turn them into housing. As a result, the only way such a golf course could be kept in operation is by the municipality purchasing the thing.

In my own community there are pressures for housing in the St. Clair Beach area, where we have the Lakewood Golf and Country Club, and local industry already has asked the municipality to purchase that golf club. When we're talking about recreational value or interest, that golf course really would come under that category. And if it does come under that category, then you can expect requests from municipalities for assistance in the purchase of golf courses in all parts of the province.

I bring my own situation to your attention, Mr. Minister, because I'm familiar with it. But I wonder to what extent the foundation is going to be concerned with either the development or the preservation of such types of facilities.

Hon. Mr. Auld: Not very directly, I would think. The only thing that occurs to me is that in the historical archaeological context, an old golf ball might be found some place.

Mr. Chairman: The member for Nickel Belt.

Mr. Laughren: On section 10, Mr. Chairman.

Mr. Chairman: Are there any comments before section 10?

Section 9 agreed to.

On section 10:

Mr. Laughren: I would like to make a comment on section 10 about funding. Yesterday, in the Legislature, one of the ministers—I think it was the Minister of Culture and Recreation—announced an Ontario lottery programme and indicated that the surplus generated by that lottery would go to support, among other things, cultural, religious and charitable organizations in Ontario. I would asume that the Heritage Foundation would benefit in some way from the lottery surplus. Is that correct?

Hon. Mr. Auld: Mr. Chairman, I won't amplify the statement made by the Minister of Culture and Recreation. I think it speaks for itself. It is expected that some or all of the funds that are raised will go into that general field, but they will go via the consolidated revenue fund.

Mr. Laughren: I understand that. I am concerned about the whole question of the surplus of the lottery, because if tradition is any indication of what happens, the people who buy lottery tickets are very often people who have modest incomes. Then, when the surplus is applied in some way in the province, it is not those same people who bought the tickets who benefit the most from it.

If my colleague from Sudbury was here, he would say: "No, that's correct. It's the culture vultures who end up benefiting from funds that are provided out of the consolidated revenue fund." In this case, a large portion comes from people with modest incomes. That's not unusual; that's the way the system works. I don't like it, but I understand it. One can use the same argument that the people from northern Ontario buy tickets. People from northern Ontario pay taxes to go into the consolidated revenue fund, which then is channelled into the Ontario Heritage Foundation, and in return they get an insufficient return.

It would be interesting to know, for example, to what extent you are going to regard events as something which the Ontario Heritage Foundation would support. For example, the town of Chapleau next year will celebrate its 75th anniversary as a town. That's a community of about 3,500 people; by and large, working people with modest incomes. I'd be interested in knowing to what extent you are going to take this money that is being raised by the same kind of people and turn it back into those communities. I think that is why the definition of heritage is important. I am concerned as to whether or not you are going to see an event like that as being of significance and to what extent you will provide the kind of expertise and the kind of funding and, in general, support communities like that which want to do something.

When you consider what it is they have available to them with which to work compared to what a community such as Toronto has available to it, then the need should be evident that that's the kind of community that needs your support, and not just of the Ontario Heritage Foundation but of the new ministry. I'm very concerned about that and I would appreciate knowing from the minister just what guarantees he can give us that the results of the taxes of people, whether it comes from income tax or whether it comes from purchasing a lottery ticket, will be distributed in such a way that it will accrue to people who in the past have not benefited from the moneys that are spent on culture and recreation in the Province of Ontario. I wonder to what extent you have thought about this and to what extent you are going to build in guarantees that the funding is distributed in a regional way in the province.

Hon. Mr. Auld: Mr. Speaker, I think that question should more properly be asked of

the Minister of Culture and Recreation when you are debating the bill. I would say in the case of Chapleau—by the way is Art Grout chairman of the 75th anniversary committee?

Mr. Laughren: No, he is not.

Hon. Mr. Auld: —through the cultural affairs division, with input from some of the activities or some of the staff that the Heritage Foundation will have, there will be a variety of opportunities for historical research that might be done for Chapleau in the cultural affairs Outreach Ontario programme with displays from ROM, from the Art Gallery, from the archives and a whole variety of things which will tie in.

As to whether the Heritage Foundation would provide funds to assist in the celebration, I can't answer that question. I would think it is doubtful, because I think that their impetus and their priorities, certainly in their first years, will be more in a material way of structures and so on. Of course, the history part of the foundation which will take over the work of the Archaeological and Historic Sites Advisory Board may well provide a plaque to permanently mark the occasion, providing that they are asked in enough time to have the research done.

Mr. Laughren: I can assure you that they will be asked in time.

One thing that bothers me is that the history in southern Ontario is much longer than it is in the north. For example, I don't suppose a town 75 years old in southern Ontario is unusual at all. Northern Ontario is a younger part of the province and I think there is a real danger that historically significant events in a community will be overlooked because when the people concerned take a look at the number of years involved they will tend to put them aside. That's one reason why I am so concerned about the regional representation on the board of directors.

Mr. Chairman: On section 10.

Mr. Riddell: Mr. Chairman, under section 10 the Ontario Heritage Foundation may enter into agreement with property owners, prospective donors and with other persons respecting any matter within the objects of the foundation. Does this section imply a restriction upon the foundation in entering into agreement with corporate bodies, for example, with heritage societies within the province, heritage societies elsewhere, or Heritage Canada?

While section 10 permits the foundation to arrange exhibits and to undertake research, no authority is given to the foundation to publish material. Now, is it the intent of this section o grant the authority to publish material?

Hon. Mr. Auld: First of all, my understanding of "persons" in the legal sense is that under the Interpretation Act or some other Act, a person includes a body corporate. So in that sense any organization can enter into agreements with anybody who has a charter, I guess.

The other question is regarding publishing. I would say, subject to correction, that this is covered under section C, which says that the foundation may "conduct and arrange exhibits or other cultural or recreational activities to inform and stimulate the public." I would think that publishing would be a cultural activity. If you were going to inform the public, you could do it by means of some publication.

On the other hand, though, within the cultural affairs division there are two publishing operations. I'm sure that, by arrangement, if the foundation wished to publish something of importance in the fields in which they are working, they would be able to do it within the ministry.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to ask the minister about section 10, clause (a), where it says the foundation may acquire by purchase, property of scenic interest. I'm taking out the various words that are involved in there. It is much lengthier than that, but it all refers to what I'm saying.

Now, may the foundation then come along and purchase a piece of property in a community, either directly itself, by grant to the community, or by the community and then have it vested in the foundation for scenic purposes?

Right in my community we have the British American Hotel in the downtown area. It is a building that has caused quite a bit of controversy in the last election. The building is physically not worth the money asked for it, but because of its location right along the Detroit River, it prevents the development of a municipal park. The park could extend a little east of Ouellette Ave. right in the downtown area—and I know the minister is familiar with the area.

Could the community therefore ask for a grant from the foundation, or would the

foundation come along and purchase that piece of property so that there would be unbroken park in the community?

Hon. Mr. Auld: Speaking of what the foundation could do the answer would be, yes. Thinking of that hotel in particular, I think it's unlikely that the foundation would acquire it because—

Mr. B. Newman: The hotel isn't used.

Hon. Mr. Auld: —I would say that it doesn't strike me as being of provincial historical importance. It may be of historical importance to Windsor, but I don't think it's an unique type of building. I think the reason it was shut is because they couldn't keep it going. Isn't that correct? There weren't enough people enjoying it; that's why they closed it as a hotel, didn't they?

Mr. B. Newman: But if the province purchased that property there would be enough people to enjoy it, because the "garden gateway to Canada," the prime entry into Canada, is the city of Windsor.

Mr. G. Nixon (Dovercourt): Oh wrong!

Mr. R. F. Ruston (Essex-Kent): That's right. There's more tourist traffic in Windsor than any other port in Canada. I can verify that.

Mr. B. Newman: That's right. My colleague from Essex-Kent worked in customs so he is familiar with that. There are more tourists entering Canada through the city of Windsor than through any other point of entry, and it certainly would be a substantial addition. The hotel, Mr. Minister, is not used at all; it's simply a piece of property that remains as such because it was an original hotel. You can't do anything with it other than expropriate, which is extremely costly, but the foundation could purchase it.

Hon. Mr. Auld: Mr. Chairman, I guess what I should say is that it would be possible for the foundation to do this, but that is not making any kind of a commitment that the foundation will do it.

Mr. Chairman: Does section 10 carry?

Section 10 agreed to.

Mr. Chairman: Anybody before section 23?

Mr. Riddell: Yes, 15.

Sections 11 to 14, inclusive, agreed to.

Mr. Chairman: The hon. member for Huron.

Mr. Riddell: Section 15 states:

> The foundation, its real and personal property and business and income are exempt from all assessment and taxation made, imposed or levied by or under the authority of any Act of the Legislature, but this section does not apply to any property of the foundation while leased under clause (g) of subsection 1 of section 10 to a person or organization not registered as a charitable organization under the Income Tax Act.

In effect, then, section 15 makes the foundation exempt from all Ontario assessment and taxation. There is, however, this important exemption of property leased under section 10.

Heritage Canada questions the desirability of this exemption. In the course of its operation the foundation will acquire real property which it leases to a tenant at a market rent. No doubt the income will be placed in the general revenue of the foundation. Whether or not taxes are paid on the property will not affect the level of the rent which will be set by market conditions, but it will affect the financial position of the foundation.

Heritage Canada believes that the case can be made not to tax the foundation in any circumstances but permit it to use its revenues to the maximum to carry out its objectives. On the other hand, the case can equally be made that a municipality should not lose taxes because the foundation has acquired property within it. Whether that property is used as a museum, rented to a charitable foundation, or rented to a private individual or commercial enterprise should not affect the tax revenues of the municipality concerned. Otherwise an impediment is placed in the way of co-operation between the foundation and municipalities, which will look upon the foundation as a liability to their tax departments. The present bill does create a loss of municipal revenue.

Heritage Canada suggests to the Ontario government that, first, all heritage property owned by the foundation should be relieved of provincial taxes, whatever its use, and second, municipalities should be compensated by provincial grants for their loss of taxes because of property in the title of the Ontario Heritage Foundation.

Just what are your views on this, Mr. Minister?

Hon. Mr. Auld: Mr. Chairman, the committee is aware at the moment that the province is actively studying the whole question of tax exemptions, municipal tax-exempt properties,

lands, parks and this sort of thing, and no doubt whatever policy is evolved will apply to the activities of the foundation. I would say, though, that the foundation expects to be working closely with municipalities. It also expects to be using the structures which it acquires for useful purposes and in conjunction very often with the municipality, even if the property is leased. It seems clear that the owner be in the same position vis-à-vis the municipality, as any other owner, that the rental charge would include municipal taxes. On the other hand, if it is a charitable organization, most of which are presently exempted by municipalities, there would probably be no change. Basically, What I am saying is that whatever comes up as far as provincial policy is concerned about provincially owned property will apply, I am sure, to the properties that will be acquired by the foundation.

Section 15 agreed to.

Mr. Chairman: Does any member wish to comment before section 23?

Mr. Riddell: Section 22.

Sections 16 to 21, inclusive, agreed to.

On section 22:

Mr. Chairman: The hon. member for Huron.

Mr. Riddell: Section 22 provides for easements and covenants entered into by the foundation. This is an excellent step. Covenants freely entered into by property owners can be a major contribution to the conservation of heritage property without cost to the province or to the foundation. Heritage Canada therefore, wonders why authorization of covenants is restricted to property owners, to the foundation and to municipalities only. This legislation elsewhere recognizes that there are many heritage organizations within the province which share the objectives of the foundation. Why then should they be prevented from entering directly into covenants with property owners in the interest of heritage conservation rather than through the foundation?

Heritage Canada suggests to the Ontario government that the section on easements and covenants be expanded to include recognition of such covenants entered into by any heritage organization recognized by the minister for the purpose. The recognition could take the form of an order in council or regulations under the Act. What are the minister's views on this matter?

Hon. Mr. Auld: Mr. Chairman, an historic easement concept is a very new one to this country and to this province. In fact, this is the first use or the first statutory authority that has been provided to do such a thing. It may well be that this legal concept will have broader application in the future, I would point out to the committee that in the event that, say, the Kingston Historical Society wanted to acquire one, and it has acquired several buildings—the first one it acquired it restored and then resold to an owner with some sort of a restriction, not this kind of covenant—if it wanted to negotiate or acquire such a one, it would be possible under section 22, subsection 3, to negotiate a covenant or obtain one and then assign its use to the Kingston Historical Society or another local group. That is the thought that we have for the first few years of experience, and I shall let Heritage Canada know that.

Mr. Chairman: Does section 22 carry?

Section 22 agreed to.

Mr. Chairman: Anything before section 25?

Hon. Mr. Auld: Mr. Chairman, I have an amendment for section 24, if I may.

Section 23 agreed to.

On section 24:

Hon. Mr. Auld moves that subsection 2 of section 24 be repealed and the following substituted therefor:

> 2. A member of the review board may be appointed for a term not exceeding three years but may be eligible for reappointment, except that the member shall not serve for more than two consecutive terms, but any such member shall be again eligible for appointment after the expiration of one year following completion of two consecutive terms.

Mr. Chairman: Shall the minister's amendment carry?

Mr. Foulds: Mr. Chairman, I don't know the technicalities but I would like to speak on subsection 1. It is my assumption that if we pass the amendment on 2—

Hon. Mr. Auld: Mr. Chairman, I didn't realize the member wanted to speak on 1, perhaps I could withdraw that until we have dealt with 1.

Mr. Foulds: We could just leave it on the table, until we deal with subsection 1. I am a little concerned that the definition of the

membership of the board in subsection 1 is as vague as it is. That is, the clause says that it shall not be fewer than three persons. Presumably it could be as many as 15, let's say. And that causes me a great deal of concern in relationship to sub-clause 4, which constitutes the quorum of the committee as one.

I think it would be much better to express the quorum in a fraction of the total membership of the committee. If you are going to have a board that is larger than three, it might be very valuable to have the quorum stated as one-third of the board. I think this would be acceptable and achieve the purposes that I know you're trying to achieve.

In the case of a review board having to go out to the hinterland to review a site, talk to a municipality and so on, you certainly don't want the whole expanded board having to go. I do feel a little worried that we could have quite an expanded board, say to 15, say to 12 even, and still the quorum of the review board being only one.

It's a bit awkward that I'm tying sub-clauses 1 and 4 together in relationship, and you've introduced the amendment in 2. But I wonder if you want to stick with the definition in sub-clause 1, whether we could reconsider an amendment in sub-clause 4.

Hon. Mr. Auld: Mr. Chairman, first of all, I think it's important to remember that this is not a judicial body. It is really an advisory body, I woud anticipate, made up of people with some expertise in the various fields on which they will perhaps be hearing submissions and giving the benefit of their expertise to the municipality or to the minister or the heritage foundation.

Specifically, we have said three at this point in time because I really don't know how busy they're going to be. I would anticipate, just as with a judicial board—like the Ontario Municipal Board—that there may well be times when one person would be sufficient to hear a submission. In other cases, in a major problem, it may be that the whole board or half of it would attend. It may well be necessary that we will require, because of the volume of work, more than five or three people. If the committee would accept this the way it is, I can assure the committee that in the forthcoming sessions, and even before the summer session ends, if it is indicated we require these changes, I'm sure that the minister responsible will be responsive.

Mr. Foulds: Thank you, Mr. Chairman. I am intrigued by your comparison to the OMB because, as you say, this is not a judicial committee—it is advisory only.

I would think that if we are to take the bill seriously, any property that is viewed as part or parcel of Ontario's heritage would be a serious matter. I would think that while there is a three-man board, perhaps it would be advisable to have two as the quorum. If it were expanded beyond that, then go to the fraction; and that's a suggestion for future consideration in seeing how it works.

I understand the tentativeness with which one wants to approach this kind of legislation. You are, to coin a phrase, breaking new ground or preserving old ground.

I did want to express those concerns, though, and I would hope that the minister would seriously monitor the workings of the board and perhaps even report to the legislative assembly, even if there aren't going to be amendments, in terms of how it is working and the reason for not bringing in amendments. That might be a very worthwhile exercise before the summer recess.

Hon. Mr. Auld: I will pass on the suggestion about reporting to my colleague.

Mr. Riddell: In the same regard—and I trust my colleague has also been following the brief presented by Heritage Canada—their concern is that such a heavy responsilbility is placed on one person and that by overruling a designation, that person could cause the demolition of valued heritage without appeal. In other words, perhaps it is a situation where two minds would be better than one.

Hon. Mr. Auld: Mr. Chairman, having seen Heritage Canada's brief, I think they have misinterpreted the role of the board too. The board has no authority to start or stop something. The board conducts a hearing and gives the interested parties in the community an opportunity to be heard. It makes a report to whichever body it is that is responsible, but it is that body itself which makes the ultimate determination. Whether the board says to go ahead and demolish it or not, really won't prevent it or permit it.

Mr. Foulds: That is a real conundrum you are into in the bill in effect. I suppose it expresses itself more clearly in section 29, Mr. Chairman, and I would like to make a few comments about that when we get to that section.

Mr. Chairman: Are there any other comments or questions on section 24 before we deal with the amendment?

Mr. Foulds: I wonder if the minister could briefly explain the reason for making the

amendment. I don't think we disagree with it, but I imagine it is because you wish certain expertise to be carried on.

Hon. Mr. Auld: Yes, and to have a little more continuity. In this way, we will be able to appoint, say, one for one year, one for two years, one for three years, the first time round, so that we won't have a total change every time.

Mr. Foulds: That would take it up to six years then.

Hon. Mr. Auld: In other words, if somebody is appointed for one year and reappointed for three, that person will actually have served four years but two terms and then would have to be changed. It is just to ensure that we have continuity.

Motion agreed to.

Section 24, as amended, agreed to.

Section 25 agreed to.

Mr. Chairman: Is there any other section in part IV that anyone wishes to discuss?

Mr. Foulds: Section 29, Mr. Chairman.

Mr. Riddell: Section 27, Mr. Chairman.

Section 26 agreed to.

On section 27:

Mr. Chairman: The member for Huron.

Mr. Riddell: I have just a short comment. Section 27 provides that a register of all designated properties within the municipality be kept by the clerk of the municipality. Apparently the legislation covers only the heritage which lies within municipalities of the province. Are means envisaged for the protection of properties in remote areas?

Hon. Mr. Auld: I am sorry, Mr. Chairman. I didn't hear the last part of the hon. member's comments.

Mr. Riddell: In this bill we are dealing with heritage within municipalities, but are means envisaged for the protection of properties in remote areas? In other words, section 27 provides that a register of all designated properties within the municipality be kept by the clerk of the municipality. What happens when we get into remote areas without municipalities?

Hon. Mr. Auld: Well, those that are in unorganized areas obviously will be known to the foundation, and the foundation will keep an eye on them, probably through Natural Resources, who have people in the field.

Section 27 agreed to.

Mr. Chairman: The member for Port Arthur. Which section?

Mr. Foulds: Section 29. Is there anything before that?

Mr. Chairman: No, there is nothing before section 29. Go ahead.

Section 28 agreed to.

On section 29:

Mr. Foulds: Thank you, Mr. Chairman. It's a lengthy section with a number of clauses. I don't know how to get out of the conundrum that I mentioned earlier with relation to section 24, but it does strike me as inconceivable that after a thorough hearing of the review board and a property being designated, that the regional council—or whoever the responsible body is—overturns that decision. But I can see that happening.

We have had enough instances in the very recent past in Ontario where fine city halls have been torn down in order to get the money that was available for developers. I think that happened in Peterborough, and I think it happened in Kitchener-Waterloo, if I'm not mistaken. I want to know how you avoid that in terms of this legislation; it would look as if that is impossible unless there was the possibility of a direct ministerial order or order-in-council. All the dangers that that entails are the dangers of a heavy-handed provincial administration coming in to upset the economy of the locally elected officials.

The key that we have to think about here in terms of municipal buildings is that the municipal council has a conflict of interest because its municipal levies are sometimes taxed to the limit. And if they can cut down on expenditure, or get money through the sale of a property or building—particularly before election time—they might go for that short-sighted decision, rather than the long-term one which would be of benefit, not only to the people within their community, but to the people in the community of Ontario as a whole.

So that you have a second conflict, a conflict between what is in the interest of the local community and in the interest of the community of Ontario. I don't think, for all its attempts—and there have been, as we've said on second reading, good attempts here—that this bill has really solved that problem. As the purpose of the structure by the bill

is to preserve the heritage of Ontario, I would think that somewhere in the bill there must be a clause that gives that authority. I wonder if the minister could comment on that. I don't have a clause that suggests it.

Hon. Mr. Auld: Mr. Chairman, the hon. member put the problem that we face very clearly, and if he has a solution I would be delighted to have it. This is the best that we can come up with. It really is in the hands of the community and it is the citizens' interest in that community in the final analysis that will see whether a structure, such as a city hall, is preserved or isn't. I suppose that there is a final remedy but I would doubt it would be applied—that is, that the province can expropriate from a municipality if it has reasons to do so. We can't expropriate from the federal government or from a national railway.

Mr. Foulds: What a pity.

Hon. Mr. Auld: —or certain other bodies, nationally chartered. That is my hope and my expectation, actually, with the very considerable increased interest on the part of the very large and growing part of the population in the preservation of a number of things. We may, unfortunately, lose some; I don't know. I think that this is a pretty good piece down the road so far anyway.

I know in the case of my own community some years ago we were faced with this problem. It wasn't as an historic structure that the community decided to keep it; it was because we wanted a theatre and a group of citizens got very interested and prevailed upon the council to put it on the ballot. We kept the theatre and turned down $75,000 for the corner. We are all very delighted now and it is actually of some historic significance too.

Mr. Foulds: This is such a genial discussion that I don't want to escalate the debate, but I find it difficult to accept from the minister who is responsible for the legislation that, "Unfortunately, we might lose some buildings that are of paramount historical interest in Ontario." The minister has indicated that in certain circumstances we could expropriate. I suppose in terms of parallels—

Hon. Mr. Auld: Perhaps I should have put it the other way, Mr. Chairman. It may well be, but I don't anticipate it because I think that ones of major importance will be supported by the public. I should also have said there will another carrot in that the foundation may well be able to assist financially, which will help to sway the views of those who would like to see demolition in the community simply because they are anxious to see the money.

Mr. Foulds: I suppose what you are saying indicates the whole essential weakness of the Act in that basically you are relying on goodwill and intelligence. It's the same attitude that prevails with the Ministry of the Environment, a ministry with which you have some familiarity, in its reluctance about the returnable versus the non-returnable bottle, and with the Ministry of Transportation and Communications' refusal about the seatbelts. They rely on a heightened public consciousness, which I think is necessary to do, but surely there are other steps, other weapons if you like, open to the provincial government.

If I might just continue, for example, the analogy probably isn't a good one; but because there was a considerable concern by a number of people, not only in northwestern Ontario but throughout the province, that logging in Quetico Park be stopped, essentially for the preservation of some of the same aims that are desired in this bill in terms of aesthetic, scenic and historic values, the province was able to do that. I would hope that simply because a scenic or historic property, building or what have you happens to be in an urban setting rather than in a Crown-land setting or a rural setting that the province would be able to exercise its authority.

I know the tremendous difficulties, as I've indicated, when you get into property that has already been alienated from the Crown. There are tremendous difficulties, particularly if you are a Conservative and your view of property is that it is sacrosanct. I don't know how this government copes with that. I frankly don't know how our government would cope with that. But I think that in exceptional circumstances there should be rights of expropriation for the minister responsible for this bill, perhaps rather than the foundation itself.

Hon. Mr. Auld: First of all, with your government there would be a lot more of those buildings.

Mr. Foulds: Well yes, that's perfectly true. That's perfectly true, Mr. Chairman. There will be a small mansion in Brampton that we'll preserve as an historic site of an obscure Premier who held office for four years.

Mr. Riddell: Section 29.

Mr. Chairman: On section 29. The hon. member for Huron.

Mr. Riddell: It has been suggested that this is a fairly lengthy section and therefore it has led to a fairly lengthy concern on the part of Heritage Canada.

I trust you've had a chance to study the brief presented by Heritage Canada, Mr. Minister. But I think its concerns should be expressed here so that we can get them on record; so that we might refer to them when we go to our own ridings in order to explain some of these sections to the interested people back there. Heritage Canada says:

> Section 29 requires that when the council of the municipality intends to designate property it must notify its intention to the owner and it must publish a newspaper notice. While these are reasonable provisions as far as they go, they give no assurance that groups actively concerned with the conservation of heritage will be adequately informed. Newspaper notices are a satisfactory means of informing bodies with staff, but are a difficult form of communication for voluntary groups.
>
> In similar circumstances elsewhere, heritage conservation groups are invited to register with such a body if they are duly recognized. Then they have the right to receive such documents as notices of intention to designate or appeals against designation. Heritage Canada recommends accepting the right of duly recognized heritage conservation societies to receive such notices.

You will perhaps make notes as I go along here, Mr. Minister, and then we'll get your answers later.

> At this point, Heritage Canada wishes to question the wisdom of a designation procedure which is based solely upon passing the municipal bylaws. There is every reason to provide machinery for the supplementary designation of property by a municipality, but making this the only form of designation of heritage property would appear to constitute a weakness in the proposed legislation.
>
> While strongly supporting the concept of citizen participation in advice given to any designation board, Heritage Canada believes that property designation should be a responsbility of the provincial government itself, not delegated to municipalities. Two different but admirable models are found in the provinces of Quebec and Alberta. Such province-wide designation is the best guarantee of consistency. Only at the provincial level is there an adequate assurance of sufficient qualified judgement brought to bear upon designation. While some large cities have staff professionals with adequate training, experience and taste to advise the board upon its recommendations, most municipalities do not.
>
> The logical role of the municipality is not to make, alone and unaided, judgements on what aspect of the province's heritage will remain for generations to come, but to supplement lists made by a higher authority. That is, to supplement such lists with property which has some special local value which cannot properly be recognized by a province-wide board.
>
> In addition, there is a strong philosophical reason why designation of the heritage of a province or of a nation should not be left solely at the municipal level. Designation involves adversary positions. On the one hand are those who wish to conserve. On the other side are those who oppose conservation because it stands in the way of profits from demolition and new development.
>
> If the first party wishes to have credibility and avoid charges of emotion or a personal involvement, it must have the best judgement of the best-qualified and most-respected professionals in the whole province. Those responsible for designation need that kind of moral authority behind them because their adversaries are often national or multi-national corporations with enormous economic power and public relations tools behind them. The heritage of Ontario is too important to be left to a relatively defenceless group which may have conscience, goodwill and good taste on its side, but little else.
>
> One of the purposes of designation machinery is to protect heritage against unwise, short-range decision-making made under the pressures of the development industry at the municipal level. It is therefore no accident that no country within our knowledge leaves designation to the municipality itself.
>
> An analogy in another field is the Ontario Municipal Board which, rightly or wrongly, assumes that citizens need a final protection against the decisions of their municipal lawmakers.
>
> While it may be held that the review board envisaged in the bill would hold a position similar to the Ontario Municipal Board, this is true only in a negative sense. If, because of local financial or political pressures, ignorance, or lack of professional guidance, the municipality fails to desig-

nate property of importance, the review board cannot correct the mistake; it can deal only with controversy surrounding nominations already made by the municipal council for designation. The best, therefore, that can be hoped from the review board is that it will not do too much harm by permitting too many appeals against proposed designations.

Finally, it may be underlined that what this bill sets out to protect is not only heritage of local significance or, indeed, of province-wide significance. Under the Canadian constitution, the province has responsibility for guarding the heritage property of the nation which lies within the boundaries of a province. When the province does not protect, the federal government is legally powerless to do so unless it happens to own the property in question.

Is, then, the province justified in shifting this provincial and, indeed, national responsibility to a municipality? What guarantee is there within Bill 176 that a municipality will even establish, let alone widely use, designation machinery? Is the survival of that considerable part of Canada's heritage which lies within Ontario to be left to chance and to local politics?

It would appear to me, Mr. Chairman, that in this bill this seems to be of major concern to Heritage Canada and, of course, to the affiliated groups, such as the Architectural Conservancy of Ontario.

Hon. Mr. Auld: Mr. Chairman, perhaps I neglected to mention this before, but originally we had expected that Heritage Canada was going to present a brief. I think they were invited to on Jan. 17, but were unable to because they had a meeting in Newfoundland. But I have read the brief.

As I said some time ago, this legislation is partly the result of submissions that we have had from municipalities asking to have this kind of authority. I have confidence that they will exercise it wisely and well.

I should point out that there is nothing to prevent the province working with a municipality and assisting a municipality in the acquisition of property. Nor is there anything to prevent a province acquiring a property itself. I understand there are a number which have been sort of listed as priorities if the province wants to see them acquired.

But I really don't agree with Heritage Canada that municipalities are not good people to do this kind of thing. In fact, I think they are. As we discussed in the last section, I would hesitate to say that municipalities should not be doing the kind of thing that they will be permitted to do under this legislation, as they have asked to do.

I think that the combination of provincial input and local input is important. I also think that there are structures and properties which are of provincial importance and there are others which are of local importance. The government of Canada says that in its programmes there are structures of national importance which it will acquire, and there are structures of provincial importance which the province should look after. I think that the same thing applies to municipalities.

As I said before, I think this is a pretty good start. It may well be we will find that it isn't working out effectively, in which case we can change it. But I think that it is a good start. I am confident that it will do the things that we expect it to do and the things that the municipalities have asked us to help them to do.

May I say, Mr. Chairman, I have an amendment for section 29, which is really a housekeeping thing again.

Hon. Mr. Auld moves that sub-clause 2 of clause (a) of subsection 14 of section 29 of the bill be repealed and the following substituted therefor: "to be served on the owner and on the foundation."

Hon. Mr. Auld: The explanation, Mr. Chairman, is that the municipality really doesn't have to serve notice on itself.

Motion agreed to.

Section 29, as amended, agreed to.

Mr. Chairman: Any other sections of the bill prior to section 50 of the bill?

Mr. Riddell: Section 33.

Mr. Chairman: The member for Huron. Do all other sections prior to 33 carry?

Sections 30 to 32, inclusive, agreed to.

On section 33:

Mr. Riddell: Another concern of Heritage Canada here is:

One questions the value of such sections as 33 which provides that an owner may not alter his property after it is designated. If he cannot get permission to make alterations on his house, he has automatically the right to demolish it by waiting for nine months. Conceivably, an effect of this law might sometimes be an acceleration of demolition by an owner who, as the re-

sult of the law, finds it more difficult to make alterations.

Heritage Canada welcomes the power given to municipalities to expropriate designated property, but one wonders how real in practice that expropriating power would be: If a property is protected for only a few months, there may scarcely be time for the legal process of expropriation before the owner exercises his right to demolish his property.

Municipalities may make grants and loans to owners of designated property. This provision would have more effect if the source of such funds were indicated. If the survival of one of the most important structures in Canada depends upon the operating budget of a hard-pressed municipality, the right to make loans and grants has relatively little meaning. On the other hand, a provincially operated designating structure with resources to provide needed financial aid could be of great help to the survival of provincial heritage.

What are your views on that?

Hon. Mr. Auld: Mr. Chairman, it seems to me that the public cannot in effect take some of these properties from them or require them to do something with their property which they don't wish, unless the public is prepared to assist in the cost. There is provision for municipalities to assist an owner in doing some restoration or repairs so that he may continue to occupy the designated structure. On the other hand, there is also a provision for the province, through the heritage foundation, to assist a municipality in that kind of thing.

I don't think at this stage that the government is ready to set up a sort of an open-ended grant system for the maintenance or acquisition of historic structures. I think, as I have said, that there will be funds available for the heritage foundation to assist municipalities, but they will have to be dealt with on an individual application basis, at least for the foreseeable future.

Section 33 agreed to.

On section 34:

Mr. Chairman: The member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman.

Mr. Foulds moves that the words "for a period of 180 days from the date of its decision" in section 34, subsection (2)(b) be deleted from the bill.

Mr. Foulds: I am sorry I only have one copy, Mr. Chairman. Perhaps you could reread it to the hon. members.

Hon. Mr. Auld: Mr. Chairman, I am afraid that I cannot accept that amendment. At the present time, not to the total amazement of the hon. member, I expect, as it presently stands, the municipality may delay or prevent demolition for 90 days while it considers the application, and then another 180 days—a total of nine months. I think, again looking at the rights of a property owner, that nine months is an adequate time for a municipality to make up its mind and to take whatever steps it has to, if it decides to expropriate or something else. I'm afraid that I couldn't accept that amendment.

Mr. Foulds: Mr. Chairman, I think that this is the whole crux of the bill. This clause, 34 (2)(b), as it is written, shows the essential gutlessness and the essential frivolity with which this ministry and this government view preservation in Ontario, because all you are doing in this bill is postponing the possibility of demolition; you are not preserving. And when you are only postponing for a mere—what is it—a total of 270 days, that's not even a year. What this government and this ministry are prepared to do is to preserve the cultural heritage of Ontario for less than a year. That's the essential principle of this bill. It's embodied in this clause and it's a gutless clause.

Mr. Chairman: Does anyone else wish to speak?

Mr. J. A. Renwick (Riverdale): What is the minister's response?

Mr. Chairman: The minister has responded on this.

All those in favour of the amendment will please say "aye." All opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the amendment lost.

Section 34 agreed to.

Mr. Chairman: Any other questions before section 50 of the bill?

Mr. Riddell: Section 40.

Sections 35 to 40, inclusive, agreed to.

On section 40:

Mr. Chairman: The hon. member for Huron.

Mr. Riddell: This is, again, a concern of Heritage Canada, and it "commends the On-

tario government for its emphasis upon conservation areas. It notes, however, an inconsistency between the vocabulary used in this part of the bill—"

Mr. Chairman: I think the minister has an amendment and maybe we'd better hear that amendment first.

Hon. Mr. Auld moves that part V of the bill be amended by striking out "historic" wherever it occurs and inserting in lieu thereof "heritage."

Motion agreed to.

Section 40, as amended, agreed to.

On section 41:

Mr. Riddell: Any amendment here, Mr. Minister, before we carry on? Heritage Canada states:

> Section 41 provides that no property designated by a municipality be designated as a conservation district. It would appear that this provision has been inserted to protect the owner of designated property from the need to comply with two parallel sets of regulations. While the objective is reasonable, the means to achieve it are questionable.
>
> Would it not be preferable to provide that when a designated property lies within a heritage conservation district its owner is required to comply only with appropriate municipal regulations and not with parallel conservation area regulations? Municipal regulations would thus take precedence over regulations for the conservation area.

Hon. Mr. Auld: Mr. Chairman, I am advised by our legal people—we had quite a discussion about this provision—that the way to avoid conflict between a designated structure as an individual structure and a district, where in a district you're only dealing with the exteriors, was to do it as we have done it here. I don't know where Heritage Canada got its legal advice, but I'm told that as we're doing it in this provision we will be able to accomplish the objective without legal problems that might have applied to a designated structure within a conservation district. So the conservation district, when the plan is filed, will specifically exclude the property on which a designated structure is located. So the rules or the requirements that apply to a designated structure will only apply to it; and the rules that apply to the conservation district will apply to the district and not the designated structure.

Mr. Riddell: It is a case, Mr. Chairman, where Heritage Canada was not given enough time to get legal advice, so it's doing this on its own.

Hon. Mr. Auld: Either that or it may have saved a little time. Sometimes when you get legal advice from several of the profession, it takes longer than if you only get it from one.

Section 41 agreed to.

Mr. Chairman: Is there anything before section 50? Does any member wish to speak or comment on anything before section 50?

Mr. Foulds: Mr. Chairman, on section 47, dealing with resources of archaeological value.

Sections 42 to 46, inclusive, agreed to.

On section 47:

Mr. Foulds: In your definition of property under the archaeological section, why is it that you don't include buildings or structures other than ruins? Is there a reason for that in terms of the authority given to various agencies operating within the ministry?

Hon. Mr. Auld: My understanding of property is that it includes land and whatever may be on it, but in the archaeological field we are primarily interested in what is under the land. If the ministry designates a property of archaeological importance, it will include ruins and what not, but it will also include what is under the surface.

Mr. Foulds: I have some very small smattering of knowledge of archaeology. It may not exist in Ontario, but surely it is possible to dig out what is a complete building, rather than a building that is ruined—a building that has been buried and preserved. It is not very likely, but I know what has happened at Knossos in Greece, for example; they are, in fact, ruins. But one can imagine certain buildings, such as the Parthenon before the Turks got at it, somehow being buried in sand by the Egyptians and yet the building itself being intact. Discovering and uncovering it would be an archaeological endeavour. I am wondering whether this section gives the authority to archaeologists, and to the pursuit of archaeology, for buildings that are intact but are yet somehow buried.

Hon. Mr. Auld: I am informed that it does, Mr. Chairman, although I am not in a legal position to explain the nuances.

Mr. Foulds: Well, as long as we have the assurance, not only of yourself but of your

legal advisers, that it does do that, then I think that is fine.

Section 47 agreed to.

Mr. Chairman: Is there any other section that anyone wishes to discuss or amend prior to section 73?

Hon. Mr. Auld: Mr. Chairman, I have an amendment for section 62.

On section 48:

Mr. Foulds: I have a question on section 48, if I might, Mr. Chairman. What is the state of archaeological exploration today? Do archaeologists need to be licensed at the present time by the minister? Will this force all archaeologists who are engaged in that activity in the province to be licensed? Have you had any representations from archaeologists and the archaeological society? I would imagine that they are in favour of the move.

Hon. Mr. Auld: Yes, this was worked out with the association, with individuals and with our own archaeological people, and it has received everybody's approval.

Mr. Foulds: Let me start with the obvious question. Have you decided on a licence fee yet? Is it going to be minimal, and is it simply in order to make sure that archaeologically valuable sites aren't damaged by people who are not qualified to undertake the activity?

Hon. Mr. Auld: Yes, it will be a minimal sum.

Sections 48 to 54, inclusive, agreed to.

Mr. Chairman: Anything before section 62?

Mr. Riddell: Section 60, Mr. Chairman.

Mr. Chairman: I'm sorry. The member for Port Arthur would like to discuss section 55.

Mr. Riddell: Oh, all right.

On section 55:

Mr. Foulds: There seems to be a contradiction in the principle in the bill in section 55 in that the owner may apply to the minister to have the decision revoked, whereas when we were considering the historic site section, it didn't even get to the ministerial level. Surely, there is a lack of parallelism there, or something.

Why is it that the decision can go to the ministerial level here, and doesn't in terms of the other? I know what the obvious answer is. But it does seem to me, therefore, to place the legislation itself in a contradictory position in that it doesn't view historic sites with the same focus as it does archaeological sites. Perhaps the minister could explain that.

Is it that archaeological sites are more valuable, as well as the fact that they come more directly under Crown land probably and provincial administration?

Hon. Mr. Auld: Yes, I would say, Mr. Chairman, that there is this difference. For instance, if somebody knocks down a wall of a structure you can always replace it—and you can generally find the evidence to replace it properly.

Mr. Foulds: If you knocked down the wall of the Forum you couldn't replace it.

Hon. Mr. Auld: But my understanding of the archaelogical field is that a great deal of importance is attached to the surroundings; the strata, the earth—that sort of thing. My advice is that we may not be talking about the same sort of economic importance, but the site of archaeological importance may be harmed or destroyed a lot more rapidly than, say, a structure.

Mr. Foulds: Well, it is doubtful that there is a lot more damage in weather terms as opposed to developer-builder terms.

Mr. Chairman: Does section 55 carry?

Sections 55 to 59, inclusive, agreed to.

Mr. Chairman: Section 60. The hon. member for Huron.

On section 60:

Mr. Riddell: I don't think there is any real issue here. It's just that Heritage Canada are making a suggestion and we'll hear the views of the minister.

Section 60 provides penalties for contravention of the law.

> While a maximum fine of $10,000 for an individual or $50,000 for a corporation may seem adequate, it is useful to consider them in relation to the scale of modern real estate transactions. When it is not uncommon to have development projects involving investments of $25 million, the corporation could regard the risk of a fine of 1/5 of 1 per cent to be more in the nature of an operating expense than a deterrent.

Hon. Mr. Auld: Mr. Chairman, I suppose you could argue it either way. There are those who would say that to have an even higher penalty amount might indicate to a

magistrate that for a very minor offence somebody should be fined $10,000 or $15,000.

I think all I can say is that we had some considerable discussion about the amount of the penalty. This is what we have come up with. If we find that this is not effective, then obviously there would be a change submitted in the Legislature. I think it's a great improvement over, for instance, the present situation under a demolition bylaw where, I think, the maximum fine is $500. It really might be interpreted in a large project as simply another form of licence.

Mr. Chairman: Does section 60 carry?

Sections 60 and 61 agreed to.

Mr. Chairman: Section 62. The hon. minister.

On section 62:

Hon. Mr. Auld moves that subsection 1 of section 62 be amended by inserting after "period" in the ninth line the following: "The minister or any person authorized by him in writing."

Mr. Chairman: You have heard the minister's amendment. Are there any comments?

Mr. Foulds: Mr. Chairman, again I don't think this section goes far enough. I'm not going to belabour the point but even with the amendment once again it is contradictory to what the minister has just said. Previously the minister had said that it is part of the surrounding and setting that is of archaeological importance. Here all the minister or ministry has the authority to do is to issue a stop order and to work on the site for 180 days to take off the objects or structures.

If you found a site of some significance and of some great value, 180 days is not nearly long enough to remove them. If you found an Indian village, surely to goodness a five-year period is not too long a period to ask to remove all that is of cultural heritage and value. What you've done with your amendment in effect is simply give someone within the ministry, your agent, the authority to examine the property and remove or salvage objects therefrom.

What I'm saying is that, especially in this case, if you genuinely wish to salvage objects, it may very well take longer than 180 days. For example, if the situation developed, say, in northern Ontario during November, it may very well not be possible to work as you outline there for the immediate months. What you are going to say is that you would be well aware of these things long enough in advance. I'm not sure that that's true. Certainly that hasn't been true in the past. I would sincerely hope that you would very, very seriously consider extending it to a three to five-year period.

Hon. Mr. Auld: Very briefly, this is really an emergency procedure. If it was of such importance and if so much work was involved that it was going to take longer, it could be designated, in which case then we would be dealing with compensation for loss of business or whatever it was with the owner. This is basically an emergency procedure.

Mr. Foulds: Let me just explore this a little further so that I understand it completely. You can then, during the course of this stop order, designate the property indefinitely?

Hon. Mr. Auld: We would investigate it and if we found that it was of importance, then we would designate it.

Mr. Foulds: And you could do that indefinitely? Fine. Okay, thank you, Mr. Chairman.

Mr. Chairman: The hon. member for Huron.

Mr. Riddell: Yes, I would just like to support my colleague here in the remark that he has made. This section which the minister has amended relates somewhat to section 34. I think the minister is well aware that Heritage Canada considers these sections are probably the greatest weaknesses in the proposed legislation in that any designated property within the province—and I'm referring more to section 34 now—may be demolished within 270 days. If they consider this a great weakness, and certainly my colleague has supported their concerns about this weakness, I think it's worth your consideration, if indeed you are going to be making amendments in a short period of time.

Mr. Chairman: Shall the motion carry?

Motion agreed to.

Mr. Chairman: Shall section 62 as amended form part of the bill?

Section 62 as amended, agreed to.

Mr. Chairman: Is there any other section before section 73 which any member wishes to discuss.

Mr. Riddell: Section 69, Mr. Chairman.

Mr. Foulds: Just before that section 67 if I might—

Sections 63 to 66, inclusive, agreed to.

Mr. Chairman: The hon. member for Port Arthur.

On section 67:

Mr. Foulds: I've always been interested to find out what the legal definition of one's last known address is. And I ask it with a certain amount of personal interest because I am still getting mail from government ministries to an address that happens by a sheer fluke to be in the Thunder Bay phone book but at which I have not lived for a year and a half. I suppose they find out by checking the phone book. Yet the phone book happens to be wrong, and has not been corrected even though I have made several representations to the Thunder Bay telephone firm.

So this gives me an opportunity to ask the minister what is the legal definition of one's last known address. What compulsion is there on the parties concerned to investigate the address of the person? Can the minister answer, or do we need a lawyer to answer that?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): It is where you die.

Hon. Mr. Auld: That may be hard to ascertain. There is a legal procedure—perhaps one of my colleagues could help me. I recall one occasion, in Environment, with a property owner who we had not been able to reach, that it turned out that while we had checked at the registry office we hadn't followed up, other than by registered letter to the address that was shown in the registry office. Well no, I guess not by registered letter, so it didn't come back. But I think that there are procedures you must take to indicate that you have tried to find somebody properly. It may well vary, but this is what you generally find in the statutes, so I assume that it is the normal procedure.

Mr. Chairman: The member for Huron on 68—or did you want to speak on 67?

Mr. B. Newman: Section 67.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman: Under subsection 2 of 67, Mr. Chairman, the first sentence reads "where service is made by mail, the service shall be deemed to be made on the third day after the day of mailing."

Mr. Chairman, I think the third day is much much too soon. That's almost instant delivery today. Back home I find it extremely difficult to get mail from here within three days, and if it is mailed on a Friday, the third day would be a Monday and there is no way.

Hon. Mr. Auld: I understand that registered mail gets through a little more rapidly than regular mail.

Mr. B. Newman: Sometimes.

Hon. Mr. Auld: I also understand if there isn't delivery on Saturday and, of course, on Sunday, you consider the three days to be Friday, Monday and Tuesday.

Mr. B. Newman: Mr. Chairman, we had a similar section in one of the other pieces of legislation, and we had it changed in that. I think the three should be changed to five.

Mr. Chairman: Do you so move?

Mr. B. Newman: And I would so move, Mr. Chairman.

Mr. Foulds: Before that goes—

Hon. Mr. Auld: My advisers shrug and say if you would like to make it five we would be delighted.

Mr. Foulds: —I would plead to make it seven because the normal mailing time from—

Hon. Mr. Auld: Any further offers before we close?

Mr. Foulds: —Toronto to Thunder Bay is, in fact, five days. So let's make it a week, seven days, which I think is—

Hon. Mr. Auld: Any further offers before we close?

Mr. Foulds: Do I hear 10?

Hon. Mr. Auld: Seven days. I would move an amendment, Mr. Chairman.

Hon. Mr. Auld moves that in section 67, subsection 2, the word "third" in the second line be changed to "seventh."

Motion agreed to.

Section 67, as amended, agreed to.

Mr. Chairman: Does any member wish to speak before section 73?

Mr. Riddell: On section 69, Mr. Chairman.

Section 68 agreed to.

On section 69:

Mr. Riddell: I realize the hour is 1 o'clock and I think we can complete this bill in two minutes. I just have one short comment.

Hon. Mr. Auld: I can give you the answer without the comment.

Mr. Riddell: You have got an amendment?

Hon. Mr. Auld: No, I have got the answer. Heritage Canada say that in the question of health that a municipality should decide whether in fact it is actually a question of health if the person doesn't carry out the repairs. I would simply point out that the section says that repairs for health and other reasons are a bar against prosecution. In fact, what would happen is that if the municipality prosecuted, it would be the judge who would decide whether it is a question of health; and I think that's where it should be resolved, in the courts.

Sections 69 to 73, inclusive, agreed to.

Mr. Chairman: Shall Bill 176 be reported?

Bill 176, as amended, reported.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill with certain amendments and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, I would like to say that on Monday I would ask members of the assembly to prepare for bills 191, 190, 177, 192, 193 and 194. Should we be successful in concluding those items, I will announce further legislation then.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

APPENDIX

(see page 7108)

Answers to questions were tabled as follows:

27. *Mr. Haggerty*—Inquiry of the ministry—What are the details of monitoring of radiation from uranium in the air and water for the last 10 years in the Elliot Lake region?

Answer by the Minister of the Environment:

The Elliot Lake mining area lies within the drainage basin of the Serpent River in the Algoma district of Ontario. Uranium bearing ores were first discovered in the area in 1953 and intensive mining operations began in 1957, with 11 mines in operation during the peak period.

The former Ontario Water Resources Commission was actively engaged in the area as early as 1957 and investigations into possible radioactive contamination were begun by the Ontario Department of Health in the summer of 1958. As a result of early environmental surveys in Elliot Lake, including a monitoring programme which began in 1961, to delineate the build-up of radioactive materials in waters used for human consumption, the committee of deputy ministers was established and published a report in November, 1965 which recommended that a detailed investigation of watercourses and waste disposal be undertaken by the province and that the existing programme at that time for monitoring and analyses of mine and mill wastes, surface waters and drinking supplies be expanded and extended on a long-term continuing basis.

The results of this extensive study, which was conducted between May, 1966 and June, 1969, were published in "A Report of Water Pollution from the Uranium Mining Industry in the Elliot Lake and Bancroft areas," dated October, 1971. This report, which indicated that the waste from the uranium mining and milling industry had caused serious impairment of the water quality and associated biology in the Serpent River basin provides a detailed interpretation of the intensive monitoring programme conducted between 1966 and 1969 and is available upon request.

These extensive monitoring programmes indicate that liquid effluents from operating mines comply with effluent objectives for radiological material. While all effluents from abandoned properties are not of acceptable quality at this time, treatment is being provided and it is expected that these effluents will be in compliance with effluent objectives within a reasonable time. As a direct result of the improved quality of treatment being provided for effluents, in general, it can be stated that the water quality of the Serpent River has improved from that depicted in the 1971 report. Because of the voluminous nature of this data, it has not been included, but it is available on request.

With respect to air quality monitoring, measurements were made in 1968 which substantiated the water quality monitoring data in demonstrating the need to stabilize tailings areas to minimize wind erosion of fines. Accordingly, a programme of stabilization and revegetation of these areas was undertaken by the mining companies and while these programmes have not been completed to date, because of the difficulties of growing vegetation on sulphide tailings areas, the limited success that has been achieved has resulted in marked reductions in airborne contaminants.

33. *Mr. Foulds*—Inquiry of the ministry—Would the ministry list the community colleges that have been built by either (a) the proposal method, or, (b) with a leaseback arrangement. List the total capital cost of each of these projects? List the name of the main contracting firm for each of these projects. List the officers and directors of each of the firms involved, in each of these projects?

Answer by the Minister of Colleges and Universities:

No colleges have been built using the proposal method and one college building only was built using the lease-back arrangement. This building, the Black Walnut Building, at Niagara College of Applied Arts and Technology is 17,000 sq ft in area and was erected on college-owned land in Welland to house a cafeteria.

The term of the lease was for 10 years at an annual cost of $40,620 starting in 1970. However, in 1974 the college paid the balance outstanding on the lease and now owns the building.

The construction company responsible for the building was Newman Brothers Construction Co. of St. Catharines. The officers of the company involved were George Newman, Edward Newman, and Graham Newman.

35. *Mr. Foulds*—Inquiry of the ministry—Can the minister advise the House of the state of negotiations between his ministry and the Special Education Contract Teachers Association and the Ontario Hospital Schools Teachers Association? Is he personally involved in the negotiations and is he considering an extension to the deadline for resignations so that the negotiations may proceed in an orderly manner past Nov. 30 if a satisfactory agreement is not reached by that time?

Answer by the Minister of Education:

The answer to this question was delivered as a statement by the minister in the Legislature on Thursday, Dec. 5, 1974. It can be found on page 6073.

36. *Mr. Burr*—Inquiry of the ministry—How many WCB claims for asbestosis and mesothelioma have there been for each of the last 20 years? In which plants were the affected individuals working?

Answer by the Minister of Labour:

The answer to the above question is shown in the attached listing from the Workmen's Compensation Board of the number of asbestosis cases per year since 1942, giving the name of the last exposure employer for each case. Workers may have had exposure employment of varying durations with several employers but claims are charged entirely to the record of the last exposure employer.

Of the 96 cases of asbestosis, mesothelioma was mentioned in eight as indicated in the last column of the listing.

CLAIMS ALLOWED FOR ASBESTOSIS, WCB, ONTARIO

YEAR CLAIM SET UP	NUMBER OF CLAIMS	NAME OF LAST EXPOSURE EMPLOYER	MESOTHELIOMA*
1942	1	Canadian Johns-Manville Co. Ltd.	
1947	1	Canadian Raybestos Co. Ltd.	
1948	1	Canadian Raybestos Co. Ltd.	
1952	1	Vincent Cutler Insulation Ltd.	
1955	1	Raybestos-Manhattan (Can.) Ltd.	
1958	1	Canadian Johns-Manville Co. Ltd.	
1961	3	Canadian Johns-Manville Co. Ltd. (2) Raybestos-Manhattan (Can.) Ltd.	
1964	1	Caposite Insulations Ltd.	
1965	1	Holmes Insulations Ltd.	
1966	2	Canadian Johns-Manville Co. Ltd. (2)	
1967	6	Canadian Asbestos Co. Foster Wheeler Ltd. Department of Public Works Raybestos-Manhattan (Can.) Ltd. Canadian Johns-Manville Ltd. Schreiber Brothers Ltd.	
1968	4	Hiram Walker & Sons White and Greer Co. Ltd. Canadian Johns-Manville Ltd. Bremco Mechanical Insulation Ltd.	

CLAIMS ALLOWED FOR ASBESTOSIS, WCB, ONTARIO

(continued)

YEAR CLAIM SET UP	NUMBER OF CLAIMS	NAME OF LAST EXPOSURE EMPLOYER	MESOTHELIOMA*
1969	5	Applied Insulation Co. Ltd.	
		University of Toronto	1
		Raybestos-Manhattan (Can.) Ltd.	
		Consolidated Plant Maintenance Co.	
		Armstrong Contracting Co.	1
1970	15	Canadian Johns-Manville Co. Ltd. (10)	1
		Toronto, Hamilton and Buffalo Rwy. Co.	
		Black & McDonald	1
		Raybestos-Manhattan (Can.) Ltd.	
		Lakehead Insulation Co.	
		Federal Insulation Ltd.	
1971	11	Canadian Johns-Manville Co. Ltd. (5)	
		Holmes Insulations Ltd.	
		Bryant Insulations	1
		Sheafer Townsend Ltd.	
		Ontario Insulation (Oshawa) Ltd.	
		Ontario Hydro	
		Raybestos-Manhattan (Can.) Ltd.	
1972	14	Canadian Johns-Manville Co. Ltd. (4)	
		Holmes Insulations Ltd. (2)	
		Nor.-Ont. of Canada Ltd.	1
		Asbestos Covering Co. Ltd.	
		Terminal Insulation Ltd.	
		Applied Insulation Co. Ltd.	
		Dept. of Public Works (Prov. Govt.)	
		Master Insulation Co. Ltd.	
		Dewar Insulations Inc.	
		Kimberly-Clark of Canada Ltd.	
1973	23	Canadian Johns-Manville Co. Ltd. (14)	1
		Holmes Insulations Ltd. (2)	
		Commercial Industrial Insulations Ltd.	
		Kerr Addison Mines	1
		Raybestos-Manhattan (Can.) Ltd.	
		Cem-al Spray Ltd.	
		White & Greer Co.	
		A. C. & S. Contracting	
		Applied Insulation	
1974	5	White & Greer	
		Superior Insulation	
		Canadian Johns-Manville Co. (2)	
		Atlas Asbestos	
TOTAL	96		

* Number of Claims with mention of mesothelioma on record of death.
( ) Number of Claims.

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No. 170



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, February 3, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, FEBRUARY 3, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: The hon. House leader.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, on behalf of the Premier (Mr. Davis), I would like today to introduce to the Legislature seven guests from the government of the Northwest Territories. They are Eskimo interpreter-translator trainees under the direction of Mr. Lloyd Dahl, who is leading the group. They are sitting in the Speaker's gallery and they are visiting the Legislature today as part of a planned programme in governmental affairs which will take them to various provincial, federal and territorial organizations. I would ask you to join me in welcoming them.

Mr. Speaker: Statements by the ministry.

Oral questions.

The hon. Leader of the Opposition.

ATHABASCA TAR SANDS

Mr. R. F. Nixon (Leader of the Opposition): I'd like to ask the Chairman of the Management Board of Cabinet if he can report to the House the intention of the very important delegation from Ontario meeting in Winnipeg today with the Syncrude organization. There was some expectation that an announcement would be made of Ontario's involvement. Is there any information the minister can add to the present knowledge?

Hon. Mr. Winkler: Not at this particular time, Mr. Speaker, but they will report to the House on their return.

HOPE TOWNSHIP GARBAGE SITE

Mr. R. F. Nixon: I'd like to put a question to the Minister of the Environment. It's a perennial one. Has he any information further to his last statement on the state of the application by CPR to dump several hundred tons of Toronto garbage in Hope township? This is a matter that has been in abeyance now for about two years.

Hon. W. Newman (Minister of the Environment): Mr. Speaker, ever since I announced the comprehensive resource recovery programme for the Province of Ontario, we have had a look at this in light of that and we are now in the final stages of preparation.

Mr. R. F. Nixon: Final stages?

Hon. W. Newman: Right.

Mr. R. F. Nixon: Supplementary: Since this matter has been pending since well before the hon. minister took up his present duties, what kind of a time span is referred to as final stages? Can we expect an announcement before this session is adjourned?

Hon. W. Newman: I doubt it very much, Mr. Speaker.

Mr. R. F. Nixon: Oh, it is that kind of final stage.

HOUSING PROGRAMMES

Mr. R. F. Nixon: To the Minister of Housing: How did he make out with the government of Canada in his co-operative efforts with the other housing ministers across Canada to improve the housing budget from the federal source, and was he in any way successful in getting a freer hand in spending those federal dollars that come to this province?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I am delighted that the Leader of the Opposition has asked the question.

Mr. R. F. Nixon: I was sure the minister would be.

Mr. S. Lewis (Scarborough West): Here we go! Just answer the question.

Hon. Mr. Irvine: We had a very historic meeting—

Mr. R. F. Nixon: Historic?

Mr. Lewis: Historic?

Hon. Mr. Irvine: —with the ministers responsible from all the provinces across Canada, and we agreed on certain principles for housing, not only for Ontario but for all of Canada.

Mr. Lewis: Historic meeting—certain principles—

Hon. Mr. Irvine: The leader of the NDP might listen to this because I think he's interested in housing. I would like to have it on record even if he isn't.

Mr. Lewis: So far we have had "historic meeting," "certain principles" and "Canada."

Hon. Mr. Irvine: If he isn't interested, I would like to have it on record.

Mr. Lewis: I am listening.

Hon. Mr. Irvine: All right. We agreed, Mr. Speaker, on some very basic principles necessary for housing in Ontario and in every other province of Canada. The next day we went to a meeting with the federal minister, the Hon. Barney Danson, and his officials. We discussed each province's concerns and problems. In the afternoon, we discussed at great length the proposed or approved budget of the federal government, about which we had word before we went there, hoping that it might be changed.

The budget of the federal government for the fiscal year 1974-1975 is $1.2 billion. The proposed budget for 1975-1976 is $1.4 billion—

Mr. J. A. Renwick (Riverdale): Is that all?

Hon. Mr. Irvine: —with estimated starts of approximately 200,000, which in our opinion is much too low in numbers. The budget is also much too low. It shows that the federal government has not put a priority on housing throughout Canada.

Mr. R. F. Nixon: And this government has?

Hon. Mr. Irvine: As far as the Province of Ontario is concerned, we took a very tough stand with the hon. minister, saying to him that he had to have a change by his colleagues in the cabinet in order to recognize that housing is a need for all the people of Canada and particularly Ontario.

What the federal government has done by way of this proposed or approved budget—and we can't tell if it's approved until Mr. Turner actually comes out and says it is the budget—is that it has placed a higher priority on what CMHC does throughout Canada, and in particular in Ontario, by having 60 per cent of the budget underneath CMHC and by duplication of programmes, resulting in unnecessary expense.

In our opinion, the provinces should be implementing the programmes, and the federal government should be providing the financing.

Mr. R. F. Nixon: That's a nice way to do it.

Mr. V. M. Singer (Downsview): Ah ha!

Mrs. M. Campbell (St. George): That's the way to do it.

Hon. Mr. Irvine: We have never been able to get the federal government to say that they would give us a three-year forward commitment, that they would give us block funding, that they would have pre-consultation before the housing programmes are announced. The Leader of the Opposition could help in his small way by telling his colleagues in Ottawa that they are so far off base in their proposed programmes for 1975-1976 that they are a disgrace, as far as I am concerned.

Mr. R. G. Eaton (Middlesex South): Right on!

Mr. M. Shulman (High Park): The minister will get a lot of co-operation after that statement!

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: A supplementary, if I might be helpful in my small way—

Mr. J. R. Breithaupt (Kitchener): Is that the new federalism?

Mr. R. F. Nixon: How did the minister explain to his colleagues across Canada that since he became the Minister of Housing, the start rate in this province has dropped from about 100,000 to a projection of about 85,000 for this year, which by the way is down from 110,000 in the time of his predecessor? Does he not accept some responsibility, since the province has given it a priority by appointing a minister for this specific area?

Hon. Mr. Irvine: Mr. Speaker, one of the first subjects we discussed was why we have these wide swings in housing—not only in Ontario, but in British Columbia, in the United States and in Great Britain. We have had a very serious drop in housing starts all over the world.

Mr. Breithaupt: Ontario leads the way.

Mr. R. F. Nixon: Down to 85,000 starts!

Hon. Mr. Irvine: What we have to recognize is that while the provincial government certainly has a very real responsibility to produce starts, we also share that responsibility with the federal government, with municipal governments and with the people in each community who have said to us: "We don't want any further starts in our community. Put them in somebody else's community."

I am saying that it's time all levels of government got down to the basic fact that we have a shared responsibility. It isn't enough to just put up money. We have got to have community acceptance of all our programmes for housing. We have had, as the Leader of the Opposition stated, a wide difference between 1973-1974 and now. We're talking about the calendar year and this is one thing I think we must separate. The calendar year is somewhat different from the fiscal year of the Ontario government. In the calendar year we had 85,000 starts.

Mr. M. Cassidy (Ottawa Centre): It'll be worse in the fiscal year.

Mr. R. F. Nixon: Is it really that low?

Hon. Mr. Irvine: Well, the Leader of the Opposition saw the statistics. He already quoted them. What I want to say is that under Ontario Housing '74. which was misinterpreted by the news media—

Mr. Singer: Oh, that's what it was.

Mr. Lewis: Misinterpreted by the news media?

Mr. Singer: Nobody understands the minister.

Mr. Speaker: Order, please.

Hon. Mr. Irvine: —on the basis that the programmes in Housing '74 are for the fiscal year.

Mr. R. F. Nixon: The public relations people were working on it.

Interjections by hon. members.

Hon. Mr. Irvine: Mr. Speaker, when the leader of the NDP gets through his conversation, I'll start again.

Mr. Lewis: Like everything else, the minister's in cahoots with the Globe and Mail on housing. He has a cosy relationship.

Mr. Speaker: Order, please. Would the hon. minister complete his answer?

Mr. Singer: Let's not misinterpret it.

Hon. Mr. Irvine: Mr. Speaker, what we have to ensure is this, that Ontario Housing '74 set out certain programmes all related to the fiscal year ending March 31, 1975.

Mr. Lewis: We know the fiscal calendar business.

Hon. Mr. Irvine: All members have to do is read the article and they will see it. I can quote them page and chapter and verse if they want me to.

Mr. Renwick: The minister has taken up too much of the time of the question period already.

Hon. Mr. Irvine: In any event, the subject is this, that we are disturbed that we haven't maintained 110,000 starts. That's quite true.

Mr. Singer: How many has the government maintained?

Hon. Mr. Irvine: It's time for the municipal governments and for the federal government to do the same thing—to get with us.

Mr. Singer: The federal government, the municipal government—where is this government's responsibility?

Mr. Cassidy: Everybody is out of step but the minister; is that right?

Hon. Mr. Irvine: I think the Leader of the Opposition had better recognize this, that the Province of Ontario has been the leading province, not only in Canada but in North America in regard to housing starts.

Mr. R. F. Nixon: Too much bureaucracy.

Mr. Lewis: I have to say something now.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): The member doesn't have to.

Mr. Speaker: Supplementary? Order, please.

Mr. Lewis: I am compelled to.

Interjections by hon. members.

Mr. Speaker: The hon. member for Scarborough West with a supplementary.

Mr. Lewis: May I ask the minister, apart from the conspiracy of the federal and municipal governments to prevent him from building houses, how does he manage to reconcile his present levels of 100,000 a year for 10

years, when he knows on the basis of his own statistics that just to keep pace with the formation of new families, the replacement factors and the shift from rental to purchase accommodation, requires a minimum of 128,000 units a year in the Province of Ontario for the next two years? Therefore, why does he posit a shortfall of 250,000 before he even starts?

Hon. Mr. Irvine: Mr. Speaker, the very simple answer to that is that this problem of inflation has not been related to housing starts by the federal government, as it should have been many months ago.

Mr. R. F. Nixon: Oh, that's it.

Hon. Mr. Irvine: The federal government failed to recognize that inflation would stop housing in Ontario and throughout Canada.

Mr. Lewis: Surely the minister can't blame them for this situation? Not at all.

Hon. Mr. Irvine: Absolutely, without any doubt whatsoever. The inflationary factor has been one of the main reasons for the lack of housing.

Mr. G. Nixon (Dovercourt): Right on.

Hon. Mr. Irvine: We have a lack of mortgage funds. We have a lack of funds at a reasonable rate of interest.

Mr. R. F. Nixon: Too much bureaucracy. How about that one? Delay in approval.

Hon. Mr. Irvine: We have to make sure that the rate of interest is much less than 11.5 per cent. Would the leader of the NDP not say that the rate should be lower than that?

Mr. Lewis: Why doesn't the government lower the tax base?

Hon. Mr. Irvine: We're working on a programme which has met with a very good response from builders. It was just finalized as of the end of January.

Mrs. Campbell: It sure has.

Hon. Mr. Irvine: We sent out on a limited dividend programme. We sent out 80 proposals and half of those have been responded to by developers, which I expect will be very acceptable in the majority of cases by this government. Therefore, we will have stabilization of rents on a limited dividend proposal for building in Ontario, with a programme which is supplementary to what the federal government has. All I'm saying is there is no need for duplication of programmes in Ontario. The Province of Ontario should be the one responsible for the implementation of programmes. There is no need for the federal government to come in with the same programme.

Mr. Speaker: Does the hon. member for Downsview still have a supplementary?

Mr. Singer: Yes. As carefully as I listened to the minister, I still misunderstand him. I don't know what he said. Could he tell me the extent to which he has fallen below his target for housing starts in Ontario, even going to the end of fiscal year March 31, 1975? How much lower is he than he predicted he would be a year ago?

Hon. Mr. Irvine: Mr. Speaker, I think the hon. member said fiscal year 1975. Is that right?

Mr. Singer: That was before the minister was complaining about other people taking a long time.

Mr. R. F. Nixon: For 1974-1975.

Hon. Mr. Irvine: I haven't by any means said that we are going to be below our target at the end of the fiscal year 1975.

Mr. Lewis: That's marvellous!

Mr. R. F. Nixon: The minister is going to be down 10,000.

Mr. Cassidy: How far below at the end of this March?

Hon. Mr. Irvine: I am saying to the member that there is a difference between the calendar year and the fiscal year. When the fiscal year is up then we will know what the starts have been and how much we will be below.

Mr. Speaker: The Leader of the Opposition?

Mr. Singer: The minister is behind right now. How far behind is he now at the beginning of February?

Hon. Mr. Irvine: Mr. Speaker, I suppose that depends whether you are in the opposition or over here.

Mr. Singer: Oh, no. No matter where you sit, here or there.

Hon. Mr. Irvine: Right now we think we are ahead of the game.

Mr. J. A. Taylor (Prince Edward-Lennox): Always ahead.

Mr. Singer: No wonder no one can understand him.

Hon. Mr. Irvine: We still have time to achieve the target that we set out in Ontario Housing '74, and we are going to do it if I can do it.

Interjections by hon. members.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. Lewis: Why doesn't the minister go out and turn some sod himself?

Mr. Speaker: Order please. A final supplementary; the member for High Park.

Mr. Shulman: In order to speed up housing starts, has the minister considered rescinding the speculative land tax on new construction?

Hon. Mr. Irvine: I am sorry, Mr. Speaker, I couldn't hear the question.

Mr. Shulman: How about cancelling the speculative land tax to get things going again?

Hon. Mr. Irvine: Mr. Speaker, I think that the land speculation tax was one of the best things we ever did in regard to having housing starts. We at least were able to control the price of housing in regard to the cost of land, which is a basic component of the overall cost for housing. So therefore I am for the land speculation tax still staying on and I hope it will.

Mr. Speaker: Has the Leader of the Opposition further questions?

Mr. R. F. Nixon: No, Mr. Speaker.

Mr. Speaker: The member for Scarborough West?

HIGHWAYS 17 AND 417

Mr. Lewis: Yes, Mr. Speaker, I would like to ask of the Minister of Transportation and Communications, why is it taking so long to erect the signs on Highways 17 and 417 at the request of the many business establishments and citizens now that the ministry has put in the bypass?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I wasn't aware that there was a delay, and if there is I shall see if we can speed it up. I have made a commitment to those people that the signs would be put up. If they are being delayed I wasn't aware of it and I will look into that matter immediately.

Mr. Lewis: Good. Thank you.

Mr. Cassidy: Why do we have to keep on pressing and pressing and pressing to get it done?

Mr. Lewis: The signs are nowhere to be found, and no date has been given to the people.

May I also ask then, in a similar vein, what plans are proceeding within the ministry for any of the road and roadside improvements which have been requested to allow for the continuing viability of all of the establishments in communities along Highway 17 as a relative tourist route for those who choose to travel it—the passing lanes, the widening of certain lanes, and some of the tourist possibilities from the Minister of Industry and Tourism (Mr. Bennett)?

Hon. Mr. Rhodes: Mr. Speaker, I certainly cannot answer for the Minister of Industry and Tourism as to what his ministry will be doing.

We have had people going into the area meeting with the residents and the business people along that portion of the highway, and I have stated to them—and I am sincere in that—that we will do what we can to assist them within the confines of my own ministry.

We have, as well, indicated to them that we will not be leasing sites along the new highway for service centres, that we would discuss these matters with the businessmen who are now on old Highway 17 in an effort to give them an opportunity to become viable before any competition such as this would be developed.

Mr. Lewis: Would the minister report to us in the House on this so that everybody there knows what is happening since there are such time lags between what the minister believes to be happening and what actually occurs?

Hon. Mr. Rhodes: Yes, Mr. Speaker, I certainly shall.

Mr. Breithaupt: A supplementary, Mr. Speaker: Other than the use of international signs, does the minister intend that the signing in this area be done both in English and French so that there is as great an encouragement as possible, for people travelling between Montreal and Ottawa particularly, to take advantage of the scenic and other enjoyable areas along the old highway?

Hon. Mr. Rhodes: Mr. Speaker, I have already indicated to the people of that area that we will be using international signs as much as possible. Where the international signs are not applicable we will put up bilingual signs.

Mr. Speaker: The member for Scarborough West; further questions?

DOCTORS' FEE SCHEDULE

Mr. Lewis: Mr. Speaker, I have a question for the Provincial Secretary for Social Development. What position is the cabinet taking on the announcement by the doctors that they may well opt out of the OHIP programme for the purpose of extracting an increase in income?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, through you to the leader of the NDP Party—

Mr. Lewis: Just NDP—I am very sensitive about that.

Hon. Mrs. Birch: I noticed that.

Mr. Lewis: I would like to get sympatico.

Hon. Mrs. Birch: I will endeavour not to repeat the transgression. The 1975 schedule has been fixed by the joint committee.

Mr. Lewis: The what? I am sorry.

Hon. Mrs. Birch: The 1975 schedule has been fixed by the joint committee, and it's certainly the government's position and hope that the OMA will continue to honour that agreement.

Mr. Lewis: I see. By way of a supplementary: Since the doctors have publicly repudiated that agreement—which, if I recall, is four per cent on May 1, 1975—and if they opt out of OHIP, it won't be a 13 per cent increase, it will be more like a 25 per cent or 30 per cent increase in costs to the public treasury and in billing procedures, surely, there's some government statement of policy about what we should expect. The doctors are, after all, voting today.

Hon. Mrs. Birch: Mr. Speaker, that's a hypothetical question. I think in view of the fact the doctors are meeting and that no decision has been reached, we will await their decision before making any judgement.

Mr. Speaker: Are there any further questions?

SARNIA GENERAL HOSPITAL CARETAKING CONTRACT

Mr. Lewis: I have a question, if I may, Mr. Speaker, of the Minister of Labour. Is the Minister of Labour aware—I'm working from memory here—that the Sarnia General Hospital has just contracted out to a private firm the work of 47 employees in the caretaking area of the hospital? The 47 employees were not consulted in advance. They were presented with a fait accompli and offered the option to join the new firm without the equivalent benefits they received as employees of the hospital. Is he aware of that and is he prepared to look into this trend within the hospital administration?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I am not aware of it but I am prepared to look into it.

WATTS & FANTASIA HOLDINGS LTD.

Mr. Lewis: Thank you. I have another question of the Minister of Labour. Can he tell us something about Watts & Fantasia Holdings Ltd., a firm which was engaged in strike-breaking activities in the Rexall strike in the Metropolitan Toronto area recently? Can he indicate to us what the nature of those strike-breaking activities were and whether they have his approval?

Hon. Mr. MacBeth: Mr. Speaker, I was aware that there was some friction or disturbance on that picket line. We were concerned about it. I am happy to report that the Rexall matter was settled over the weekend, as the member is probably aware. They are back to work today; but I'm not aware of any strike-breaking activities of any illegal nature. If the member has any information, I will be pleased to follow it up in any way we can.

Mr. Lewis: By way of a supplementary: Since strike-breaking isn't illegal in Ontario, alas, there are no such activities; but since the minister's predecessors have condemned the behaviour, can he look into the activities of Watts & Fantasia Holdings Ltd., as they involve themselves in strikes, and indicate to the Legislature of what those activities consist and whether or not they have the minister's approval—legislative, moral or otherwise?

Hon. Mr. MacBeth: Yes, Mr. Speaker, I'll be glad to look into it. When the member said the strike-breaking is not illegal, I thought he had reference to some illegal action on the picket line by either party.

Mr. Lewis: No, I cannot make those assumptions.

Hon. Mr. MacBeth: I suppose the official position of the ministry is: If it's lawful, that's all we're involved in. But I'll certainly make some inquries in regard to this and report back to the House.

Mr. Lewis: If it is lawful, it is acceptable! I have no further questions, Mr. Speaker.

Mr. Speaker: The member for Carleton East.

WEDNESDAY SITTINGS

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. First of all I'd like to ask if we could know who is the acting Premier today in the House?

Mr. Speaker: You may direct a question to any one of the ministers.

Mr. P. Taylor: Is there no senior acting minister today?

Mr. Lewis: The minister without portfolio will act. The member for London South (Mr. White) will always act.

Hon. W. A. Stewart (Minister of Agriculture and Food): Why doesn't the member ask his question?

Mr. Lewis: At $7,500 more he will act forever.

An hon. member: Ask the House leader.

Mr. P. Taylor: Perhaps I could then ask the government House leader. I would like to know, from the government House leader, why this House is not sitting on Wednesday and why hasn't it sat on Wednesdays in regular practice?

Hon. Mr. Winkler: Because of normal routine.

Mr. P. Taylor: A supplementary, Mr. Speaker: Would the hon. House leader say that the House has not been sitting on Wednesdays because the cabinet sits Wednesday afternoons?

Hon. Mr. Winkler: That could be part of the reasoning; but we call it that way, and it has been working very satisfactorily, Mr. Speaker.

Mr. P. Taylor: One final supplementary, Mr. Speaker: Could the hon. House leader say whether or not he has taken into consideration the inconvenience caused to out-of-town members by not sitting in the House on Wednesdays?

Hon. Mr. Winkler: There will be committees sitting on Wednesdays. I don't consider that an inconvenience if members are looking after their responsibilities.

Mr. Speaker: The member for Yorkview.

Mr. Lewis: The House leader handled that all right. That's the first time in a long time.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Transportation and Communications. In view of the continued desperation of certain segments of the dump truck industry of this area, as evidenced by their continued presence outside the building, even today, has the minister any encouraging words to offer them and the House as to progress in connection with solution of their problems?

Hon. Mr. Rhodes: Mr. Speaker, for the third time in response to this question I have indicated to the hon. member and other members of this House that I want to have the inquiry. I've told them that I would have an inquiry as was requested by the members of the various associations of haulers in the province. The demonstration that has gone on here has been conducted by the local association here in Toronto. I have met with representatives from other parts of the province; they are quite satisfied that there will be an inquiry. There is one other request they have made of me and that is for a moratorium on the issuance of any further licences in this class.

Mr. R. F. Ruston (Essex-Kent): A good idea.

Hon. Mr. Rhodes: Frankly, I am looking to see if I personally as the minister have the authority to do that. If I do, then I will give it very serious consideration.

Mr. Speaker: The hon. member for St. George.

WORKMEN'S COMPENSATION BOARD

Mrs. Campbell: Thank you, Mr. Speaker. My question is of the Minister of Labour. Could the minister tell this House how many of the task force members who investigated

workmen's compensation have been hired by that board since September, 1973, at what salary, and specifically, what has P.S. Ross been paid on a per-diem basis since that time?

Hon. Mr. MacBeth: Mr. Speaker, I know that Mr. Starr has been hired. I know that my deputy was deputy prior to the task force, and is still deputy of the ministry. I'm not sure that I can even tell you the other members, but we can certainly get that information, and answer the other points that the hon. member asked.

Mr. Speaker: The hon. member for York South.

STATUS OF EMPLOYEES' GRATUITIES

Mr. D. C. MacDonald (York South): I have a question of the Minister of Labour. This seems to be his day.

With regard to his public statements in reference to certain hotels which pay wages to their employees out of the gratuity fund which the employees gather for themselves, how does the minister reconcile his public statements that this is a practice that he doesn't necessarily approve of but he can't do anything about, with the fact there was a court judgement rendered by Mr. Justice Fraser in a case some two or three years ago in Ottawa, stating that gratuities are a trust fund and are not to be used for wages?

Mr. Renwick: The minister ought to outlaw it.

Hon. Mr. MacBeth: Mr. Speaker, I've heard of the case the member refers to. I haven't read it, but I understand it can be differentiated from the regular gratuities where if employees agree to pool their tips in any way, that is a legitimate part of the contract. I say I don't like it, Mr. Speaker. I frown upon it because I think the public expects the tips to go at least to the persons who served them, or persons who were very closely connected with that service. So I don't like the practice. But the law is that we ignore gratuities completely.

The service industries would like us to recognize them in the minimum wage, and say that the minimum wage for people who get gratuities should be somewhat less than the standard minimum wage. We've resisted that presentation, and the matter of gratuities is such an uncertain matter that I think we will continue to ignore it. But I think the case that the member made reference to can be differentiated. I'll ask our legal advisers to review it again, sir.

Mr. MacDonald: Supplementary question: Would the minister not consider amending the Labour Relations Act, or any other Act that is more appropriate to specify that gratuities which either are added to the bill or are voluntarily granted and kept by management, shall be treated as trust, and not used as the pool out of which they pay wages, so that the minister will protect everybody involved?

Mr. Lewis: Right, In other words, outlaw the practice.

Hon. Mr. MacBeth: Mr. Speaker, I think it has long been recognized as a practice that many gratuities are pooled in some way or another—even to the busboys, and it goes beyond busboys and people of that nature.

Mr. MacDonald: I am not objecting to the pooling; I am objecting to their being robbed by management.

Hon. Mr. MacBeth: I say that once you get into it there is no limitation on the matter at all, because you don't know what the gratuities amount to.

Mr. Lewis: The minister should just change the Act.

Mr. MacDonald: They can pay the minimum wage and the gratuities on top, as it was intended to be.

Hon. Mr. MacBeth: Mr. Speaker, I don't think we really want to get into it, but I'll review the matter again. We have had many discussions on it but I think we—

Mr. Lewis: The minister doesn't want to get into it? It is outright theft, for God's sake.

Hon. Mr. MacBeth: No it's not, if they agreed to it in advance, Mr. Speaker.

Mr. Lewis: Sure it is, sure it is. It is moral theft then. That wasn't the intention of the legislation.

Mr. Speaker: Order please, the minister is answering the question.

Hon. Mr. MacBeth: I'm inclined to agree that it's a moral misrepresentation, or an immoral misrepresentation—

Mr. Cassidy: Well then, do something about it.

Hon. Mr. MacBeth: —but at the same time, Mr. Speaker, I am suggesting to this House that once we start having legislation dealing with gratuities, the employee may be the one who suffers the most from it, because then we have to view it in regard to the minimum wage and other things as well.

Interjection by an hon. member.

Hon. Mr. MacBeth: But I've simply been asked to re-examine it and, Mr. Speaker, I will.

Mr. Lewis: His present legislation is gratuitous anyway.

Mr. Speaker: The hon. member for York-Forest Hill.

SOBERMAN REPORT

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, I'd like to ask the Minister of Transportation and Communications, having regard for the anticipation with which the Soberman report was awaited, does the minister intend to permit this report to languish in limbo like the Buckminster Fuller report, or does he intend to take concrete action with respect to the implementation of some of its recommendations? Indeed, what concrete action, if any, does he intend to take with respect to some of these recommendations?

Hon. Mr. Rhodes: Mr. Speaker, the report was prepared by Mr. Soberman for the Metro planning committee. The report has been submitted to that committee. It is now, as far as I am concerned, entirely up to Metro council to make a study of that report and make its recommendations.

As I indicated earlier, there are recommendations within that particular report that I think make some sense. I do feel that it is entirely in the hands of Metro council, for whom the report was prepared, to determine what action it wishes to take as a result of that report. I don't want to pretend for one minute to be the Metro chairman. It's entirely up to him and his council to make those decisions.

Mr. Givens: Supplementary: Isn't it a fact that the government on this issue has petrified Metro with fear? In view of this government's transportation policies of the past 3½ years, doesn't the minister at least owe it to the Metro officials to call them on the telephone, ask them to come here to a meeting and indicate to them what encouragement, if any, he is prepared to give them on the promise of the 75 per cent assistance that he said he would give them with regard to some of these recommendations, so that they can feel that they can go ahead without any fear of this government aborting any of their plans, the way it did 3½ years ago? Doesn't the minister think he owes it to them to do this for them?

Hon. Mr. Rhodes: Mr. Speaker, I have indicated that I am prepared to discuss the matters with metropolitan councils and the Metro council itself. However, I am now going to await, as I have indicated, a reply from the Metro council once it has had an opportunity to study it. I have been criticized by local politicians in the past for having gone ahead and for making some announcements—

Mr. Lewis: He already did. He did.

Hon. Mr. Rhodes: —before they have done so. I have only indicated that I was prepared to recommend some of the recommendations to my colleagues, provided those recommendations were endorsed by Metro council. When that happens I'll stand by what I've said.

Mr. Givens: Supplementary: Is the minister waiting for them to call him or has he called them? This is very important.

Hon. Mr. Rhodes: Mr. Speaker, I have not called anyone. I am waiting for a response from them. I understand from reading the press over the last few days that—

Mr. Givens: A response to what?

Hon. Mr. Rhodes: —the chairman of Metropolitan Toronto is going to be meeting with the members of his council and they are going to discuss the contents of the report. I'm not going to get backed into the corner of deciding what's good and what's bad in that report until such time as Metropolitan Toronto council—

Mr. Lewis: He already has. He has already done it.

Hon. Mr. Rhodes: —which is always talking about it—makes its report to me.

Mr. Lewis: Supplementary: Since the minister has already done that, ill-advisedly, in advance—and, incidentally, misinterpreted Mr. Soberman's recommendations, as he indicated in a letter in the Globe on Saturday—doesn't he think he has to make some public penance, some public explanation, and indicate exactly what he meant, in advance of the Metro

council meeting, so that they have some assurance of what they are talking about?

Hon. Mr. Rhodes: Mr. Speaker, if I have misinterpreted Mr. Soberman's report, then it's quite possible that I'm not alone in this category, because I was being urged by the news media in this city and by members of the Metro council to react to some of the recommendations made by Mr. Soberman.

Mr. Lewis: Then just say no.

Hon. Mr. Rhodes: I had an opportunity to see that report the night it was released. I read it that evening and I dealt with the very things that the chairman of Metropolitan Toronto sent to me, which had a big circle around it—"Look at the northwest"—and I did.

Mr. Lewis: Does the minister always respond to what Paul Godfrey circles?

Hon. Mr. Rhodes: I would certainly think I would have the courtesy of reading what he indicated was of interest to him and to Toronto.

Mr. Cassidy: The minister is going around in circles.

Hon. Mr. Rhodes: I looked at those and I responded to two thing—two things only. I'm afraid I didn't have an opportunity to read that total report and I appreciate having the letter that was sent to me and to the news media explaining it.

Mr. Speaker: The hon. member for Sudbury.

SUNDAY TRUCKING OPERATIONS

Mr. M. C. Germa (Sudbury): Mr. Speaker, I have a question of the Minister of Transportation and Communications. Will he be filing an intervention before the Canadian Transport Commission into the application by All Trans Express Ltd. and Kwikasair Ltd. for a licence to truck on Sunday?

Hon. Mr. Rhodes: Yes, Mr. Speaker, we shall. I quite frankly don't hold much hope of being very successful considering what has happened in the last intervention. But we certainly will intervene on the same grounds. I wish to point out to the hon. member that the grounds on which we had to intervene the last time were that we were concerned about the volume of traffic and the safety on our highways. We were advised by the CTC at that time that those two matters did not have any concern to them. We appealed that decision and lost in the courts. Now we will intervene again but, frankly, I don't hold much hope of being successful under the present terms.

Mr. Germa: Supplementary, Mr. Speaker: Given that the minister has already admitted defeat before the CTC, and given that he has promised this House the government of Ontario will take action to prevent this from happening, when can we expect some legislation in this House to accomplish what he has said is required in the Province of Ontario?

Hon. Mr. Rhodes: First of all, Mr. Speaker, I don't have to admit defeat. I was defeated, and it is quite easy to see that. I told the member at the time when he first asked the question that we were in the process—

Mr. Lewis: Just a dry run.

Mr. T. P. Reid (Rainy River): He's getting into the habit anyway of getting defeated.

Hon. Mr. Rhodes: I missed that.

Mr. J. M. Turner (Peterborough): It wasn't worth hearing.

Mr. MacDonald: It wasn't worth hearing.

Mr. Speaker: It's an improper interjection. Will the minister carry on?

Mr. Reid: He's getting into the habit of getting defeated.

Hon. Mr. Rhodes: Mr. Speaker, I am afraid I am on an equal basis with the hon. member for Rainy River. Neither one of us has tasted it as yet.

In response to the question, I said at the time that we are preparing regulations in legislation that we felt could handle this situation. Frankly, it is not an easy one because we are faced with the fact that the Lord's Day Act still is an Act that is in effect in Canada and in effect in Ontario. We are trying to find, in working with the Attorney General's office, adequate legislation that will handle our problem, and we are working on that very diligently. I will report back as soon as I can in response to that particular problem.

Mr. Speaker: The member for Windsor-Walkerville.

PLEASURE CRAFT HOLDING TANKS

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of the Environment. Is the minister aware of the

change of policy of the US Environmental Protection Agency concerning holding tanks and its effect on the Great Lakes waterways? Will the minister strongly object to both the federal authorities in Canada and in the United States and support Gov. Milliken of the United States concerning holding tanks, so that the minister's policy of holding tanks remains in effect, and so that the government of the US withdraws its policy concerning not requiring holding tanks on pleasure-craft?

Hon. W. Newman: Mr. Speaker, I am not just sure of the question. Is the member talking about the large vessels on the lakes or is he talking about pleasure craft?

Mr. B. Newman: Pleasure craft in the US, according to the US Environmental Protection Agency, do not require the use of holding tanks. Now all the operator has to do is simply have the waste chopped up, chlorinated and dumped right into the open waters.

Hon. W. Newman: Mr. Speaker, we have no plans to change our particular policy at this time. As far as holding tanks of pleasure craft are concerned, we intend to stay with the regulations we have. I'd like to have a chance to look at the EPA recommendation.

Mr. B. Newman: Supplementary, Mr. Speaker: Will the minister join with Gov. Milliken of the State of Michigan and strongly object to the new US policy, hoping to have it changed?

Hon. W. Newman: Mr. Speaker, as the member knows we have already had meetings with Madame Sauve regarding vessel waste discharges from the ocean-going boats. We have made strong representation there on many occasions, and we expect federal regulations very soon on this particular matter. I think they are close to agreement on US-Canadian waters, but certainly I will take it up with the federal people here and talk it over and work something out on the matter. I am not exactly sure what they recommend, but we feel that our regulations are right and I would like to see the Great Lakes well protected. If they are not well protected, certainly I am very much concerned about the way waste is treated on foreign pleasure craft.

Mr. Speaker: The member for Sandwich-Riverside.

COMBUSTIBLE PLASTIC FOAM

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations regarding the increasing use of household furnishing products containing foamed plastics. Is the minister aware that among the causes of death resulting from residential fires there is an increasing prominence of combustible-plastics or plastic foams which emit toxic fumes when they are burning and while they are smouldering? If so has he initiated any discussions on this subject?

Hon. Mr. Handleman: Mr. Speaker, I will be quite frank with the hon. member. No, I wasn't aware of the fact that furniture upholsterers were using it. I thought they would be using polyurethane foam, which to my understanding does not give off toxic fumes. However, I would be pleased to look into it. If the hon. member would like to give me some specifics, I would be prepared to give it closer examination.

Mr. Burr: Supplementary: Would the minister take steps to look into the probability that the labels on these plastics are not telling the whole truth about their flammability?

Hon. Mr. Handleman: Mr. Speaker, I will check and see if we have jurisdiction to do that, and if we do I would certainly try to ensure there is truth in labelling. I understand labelling is primarily a federal responsibility, but I would be quite prepared to look into it.

Mr. Speaker: The member for Rainy River.

VIOLENCE IN SPORTS

Mr. Reid: Mr. Speaker, I have a question for the Attorney General and the policy secretary for justice et al: Has the minister been following the court case involving the Boston Bruin hockey player who assaulted a Minnesota North Star player and who has been charged in the state of Michigan with assault? Does he intend to instruct the law officers of the Crown or the people in his ministry to take similar action in the Province of Ontario if there is local assault taking place in the game of hockey, both at the professional and amateur levels?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, I have watched with some interest and listened to some newscasts pertaining to the first matter to which the member refers. I haven't come to any conclusion that I should instruct the law officers of the Crown to take any different position with reference to any sport. I think it's a decision that has

to be made under the circumstances of each individual case. It's a difficult thing for a law officer at a sports event to decide when the natural enthusiasm of participants terminates and wilful damage is inflicted on someone who is participating in that game.

I think the law officers of the Crown and law enforcement agencies are always under the obligation that if they see anything that gives rise to a wilful attack or assault on any participant or spectator, then they must lay a charge. But to direct all those efforts to one particular sport and leave it at that, would be very difficult. There is an implied consent that there is a certain amount of body contact; I think the very difficult thing is to determine the wilfulness of the attack, that's a matter that would have to be decided by the court.

No, I have not directed them to take a look at the game of hockey with any degree of particularity other than to maintain the type of vigilance they have in the past.

Mr. Reid: Supplementary.

Mr. Speaker: One supplementary.

Mr. Reid: Does that mean the minister has the whole matter under consideration in his ministry, not just hockey but all contact sports?

Hon. Mr. Clement: Yes; I think the members of the House can appreciate the difficulty that a law enforcement agency has, but I think they must continue to be vigilant, particularly when there have been some very serious personal injuries suffered in the professional sports field in the not too distant past.

Mr. Speaker: The member for Stormont.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. G. Samis (Stormont): A question, Mr. Speaker, of the Minister of Industry and Tourism: Is his ministry at present negotiating with any companies with a view to their locating in Spencerville? If so, how many companies, and what is the nature of the companies?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, I will answer the question very simply by saying yes, we are negotiating and have been speaking with some companies.

Mr. Samis: Could I ask a supplementary, Mr. Speaker? What priority is the ministry putting on attracting industry in Spencerville, vis-à-vis the other communities in eastern Ontario?

Mr. Singer: He thinks it is a dumb idea.

Hon. Mr. Bennett: First of all, Mr. Speaker, I indicated very clearly last week when we made the announcement regarding the 10,000-acre industrial park that we are developing in the Spencerville area that the type of industry we would be trying to lure into that part of the province and that park was entirely different than what one would try to take into a municipal industrial park. There is no relationship. Their size and the volume of business—

Mr. Samis: I am not asking that.

Hon. Mr. Bennett: Mr. Speaker, their size and volume of business is not to be compared. And what we will do with this industrial park in no way will detract from the type of industries that will be available for the municipal industrial parks.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: Order please. The time is just about up. There are several people who want to ask new questions. The member for Kitchener.

PROPOSED COTTAGE SUBDIVISION ON NAPPAN ISLAND

Mr. Breithaupt: Mr. Speaker, a question of the Minister of Housing: In light of the fact that the united townships of Seymour, Percy, Rawdon and Alnwick, the town of Campbellford and the Lower Trent River Conservation Authority have all passed a resolution stating that development on Nappan Island is not compatible with good interests of land management and environment control, can the minister now tell the House anything about a subdivision plan for construction of an additional 150 cottages, beside the 250 that had already been considered, and whether this plan will now be stopped since the local townships have unanimously opposed it?

Hon. Mr. Irvine: Mr. Speaker, the question of land use on Nappan Island is presently before the OMB. There hasn't been a decision reached as yet. The question of the subdivision, whether it will go ahead or not, has not been brought to our ministry, as far as I know, and it certainly would have to be circulated, as is every other subdivision plan.

I am aware of the problems to which the hon. member is referring and I would expect

that it will be some while before any approval would be given to any proposed subdivision, but to my knowledge there's no plan of a subdivision before us at this time.

Mr. Speaker: The hon. member for Port Arthur.

ASBESTOS IN THUNDER BAY HARBOUR

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, a question of the Minister of the Environment: Is the minister aware, and can he explain, why it is that independent research conducted by Lakehead University—as it was published in the local papers in Thunder Bay over the weekend—into asbestos fibres in Port Arthur's drinking water supply from Thunder Bay harbour, show fibre counts 10 to 100 times greater than the figures released by his ministry; and that one sample taken was higher than the levels shown in Duluth over the past summer?

Hon. W. Newman: Mr. Speaker, I'm not aware of this particular sampling at the university, but may I tell the member that in dealing with testing asbestos in water, one must be very careful. One must almost be dealing in a vacuum situation, or they can also get asbestos fibres into water.

The testing we have done and that has been done is done with an electron microscope. There are only so many electron microscopes in the Province of Ontario; and we can only schedule so many tests. They are going seven days a week, 24 hours a day. We expect our own electron microscope will be in operation within the next four to five months and we'll be able to do a lot more testing on our own.

If there has been some testing done, we'd be glad to see the results and have a look at it, but certainly our tests are done under ideal conditions. I'm not saying theirs weren't, but certainly our lab testing would indicate that any levels we set out at this point in time are accurate.

Mr. Foulds: A supplementary, if I might Mr. Speaker.

Mr. Speaker: Is it a short one requiring a short answer?

Mr. Foulds: As short as possible. Is the minister aware that the Lakehead University research was conducted with an electron microscope, as he suggested? Why is that the ministry figures as a whole are lower than those figures released by the International Joint Commission? Is the ministry doing different kinds of studies?

Hon. W. Newman: No Mr. Speaker, we're not doing different kinds of studies. We're constantly doing testing and experimental work at all times in our lab. I would invite the member and any other members of his caucus to visit our labs and see exactly what we are doing.

Mr. Speaker: The oral question period has expired.

Mr. Lewis: Mr. Speaker, just on a point of order, if I may. I'm speaking in reference to an answer given by the Minister of Housing earlier in the question period. It emerges that the annual start rate in Ontario for the fiscal year 1974-1975 will be 83,000 units, which is 17,000 below his target; just to keep the whole debate in perspective.

Mr. Singer: It depends where one is sitting.

Mr. Lewis: It doesn't depend on that when one has the figures.

Mr. Speaker: It is not really a point of order; but thanks for the correction.

Petitions.

Presenting reports.

Hon. Mr. Irvine: What was the point of order?

Mr. Lewis: The point of order was the minister was wrong again.

Hon. Mr. Irvine: Why?

Mr. Lewis: No matter how he calculates it, he was wrong again.

Mr. Speaker: Order please. Order.

Motions.

Introduction of bills.

The hon. member for Perth.

RETAIL ESTABLISHMENT BUSINESS HOURS ACT

Mr. Edighoffer moves first reading of bill intituled, An Act to provide for the Controlling of Hours in Retail Establishments.

Motion agreed to; first reading of the bill.

Mr. H. Edighoffer (Perth): Mr. Speaker, the purpose of the bill is to provide for

uniform holidays and business hours for retail establishments throughout the province.

Mr. I. Deans (Wentworth): Mr. Speaker, before the orders of the day, I wonder if I might put a request to you, sir, since you have the responsibility for all matters pertaining to the House. I wonder if you would instruct Hansard that it would be the desire of the House that they record proceedings before the resources development committee dealing with the Workmen's Compensation Board?

The Workmen's Compensation Board discussion that is going to take place, starting this afternoon, is in effect an extension of the discussion which ought to have taken place during the estimates and which normally would have been recorded had it taken place at estimates time; and it would make sense for purposes of the record that the discussion about the Workmen's Compensation Board should be recorded. It is taking place in committee room No. 2.

Mr. Breithaupt: Mr. Speaker, I would rise in support of the suggestion made by the House leader of the New Democratic Party.

A year or so ago a lengthy review of various activities at the Workmen's Compensation Board was conducted by a committee of this House, and it would certainly appear that perhaps many of the points raised at that time now will be reviewed to see whether certain changes have been made and what progress may have developed in the entire operation of the board.

I suggest that it would form a useful comparison if someone is not only able to read the results of this afternoon's hearings, but also is able to compare them with the report that was issued by the select committee of the Legislature in the last year. I would hope that they could be recorded in this circumstance because I think it would be of great use and interest to the people of the province.

Mr. Speaker: Well, it is rather short notice. Do you understand the meeting is going to take place right now or some time later this afternoon?

Mr. Deans: Mr. Speaker, I am sure the members who are on the committee would be delighted to hold it over until the evening, or for an hour or two, if it took that long.

Mr. Speaker: May I suggest that the committee as a whole consider it; and if it is the committee's wish, I will be approachable—and we will see if it can be worked out physically.

Orders of the day.

ENVIRONMENTAL PROTECTION ACT

Hon. W. Newman moves second reading of Bill 190, An Act to Amend the Environmental Protection Act, 1971.

Mr. Speaker: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it is interesting to see that the government has at long last brought forward legislation which is going to allow for control by municipal councils over the various noise problems that exist in many communities. We are pleased to see that section 95(a) is going to be added to this Act which will allow the local councils, subject to the minister's approval, to make the kind of regulations and provisions that have been long overdue in many communities.

There is one thing that I would appreciate hearing from the minister upon, and that is with respect to the codes which will be developed under the new subsection 2 of this section 95(a). It would appear reasonable to me that the ministry should be able to provide a generally satisfactory model bylaw that many communities generally might wish to bring in, with perhaps some local amendments on their own particular part. I think that if this bylaw is brought before the municipalities, so that there is a general approach within the province, it may prove beneficial in the long term.

I would expect that there may well be litigation, depending upon any subjective terms that one municipality may use in order to deal with a certain operation or business rather than the general operation of businesses within the community. This kind of subjective approach is surely not the thing we would want to develop into general legislation. The rules which come forward surely should be basically the same for most parts of the province and where there are certain particular problem industries, or problem situations, they should be dealt with evenly and equitably throughout Ontario.

I would appreciate some consideration being given to the possibility of a model set of bylaw conditions or terms so that an industry, shall we say in Cornwall, is dealt with the same way as an industry might be, say, in Fort Frances, if in two cases paper companies were emitting what might be considered an

offensive odour to people in those communities. Surely, the terms of dealing with these should be similar so that we have a good and balanced approach to this kind of legislation across the province.

Other than the other two minor amendments in the bill I think there is nothing further of principle particularly and we shall vote in favour of this bill.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I think if any bill ever deserves the description of anticlimax, Bill 190 is that bill.

I have here an article from the Toronto Telegram of Feb. 23, 1970–

Mr. P. D. Lawlor (Lakeshore): He's an anticlimatic minister.

Mr. Burr: –which is almost five years ago, entitled, "There's No Escaping Noise, the Unseen Enemy." In it was the interesting sentence, and I'm quoting: "Last week Ontario Resources minister–" that's what they called him in those days–"George Kerr, put this province ahead of the rest of Canada with his announcement of projected noise control legislation."

Mr. B. Newman (Windsor-Walkerville): Noise control by headline.

Mr. Burr: By merely making this announcement Ontario took first place, despite the fact that Quebec and Alberta already had legislation on the books. For example, Quebec had already established 85 decibels as the maximum industrial noise level and required ear protection devices where needed. Alberta had set maximum levels to which a worker could be exposed. For example, 12 hours at 85 db, six hours at 90 db and one minute at 112 db.

Where these limits were exceeded the noise must be suppressed or protective devices must be supplied to the workers. So, just how the mere announcement by the then minister put Ontario ahead of other provinces having actual legislation on the books and enforcing it was beyond my comprehension. My reason for mentioning the article at all is to point out that five years later Ontario still has no noise control legislation except some vague regulations under the Industrial Safety Act that set no decibel standards at all.

At the 1969 meeting of the American Association for the Advancement of Science, doctors reported various experiments showing that noise causes stress and tension and, occasionally, intolerable nervous strain; that noise makes people irritable, unsociable and quarrelsome; that noise can cause seizure in some cases of epilepsy; that even unborn children can be disturbed by noise and there is a belief among some scientists that malformation of children can be caused in the womb by noise in the environment.

Other investigators have discovered that excess noise contributes to heart attacks, high blood pressure, ulcers and even sexual impotency.

Mr. P. G. Givens (York-Forest Hill): Oh, no. That is terrible.

Mr. Burr: Impaired vision and loss of balance have been attributed also to excessive noise. Of course, loss of hearing is becoming recognized as a cause for workmen's compensation. One large steel company in the United States a few years ago had to pay out over $300,000 to settle claims for hearing losses suffered by over 200 workers, and the experts claim that urban noise in the United States is doubling every 10 years. The loss of production caused by loss of time and loss of efficiency has been estimated at $4 billion in the United States.

Every excess noise is insidious in that its harmful effects are often imperceptibly gradual. It causes muscular tension and contributes to heart disease, as I mentioned, even to neurosis. The control of noise may be costly but the lack of control is even more costly, because society faces the economic loss and even the industrialists suffer the economic loss.

One aspect of this long period of delay on the part of the government in bringing forward any legislation at all that I have found frustrating is that noise consultants have had a field day doing expensive studies for various municipalities. For example, four years ago Toronto launched a $325,000 study which would cover 20 months; 12 months being devoted to monitoring and evaluating noise, four more months to be spent on predicting the sound levels expected from development projects, and another four months drawing up suggestions for anti-noise measures and drafting a revised anti-noise bylaw for the city of Toronto.

On Oct. 24, in the past year, the minister disclosed that there would be no provincial legislation to control or curb noise. Instead, he would produce a model bylaw which municipalities could pass or not as they chose, and I presume they could also change and modify the model bylaw if they choose. That is all we have to show for the five years of

promises from this ministry and this government; a model bylaw that nobody may ever implement. Noise pollution has been deplored ever since the time of the ancient Romans. The satirist Juvenal said:

> Insomnia causes more deaths among Roman invalids than any other factor. How much sleep, I ask you, can one get in lodgings here? Unbroken nights are a rich man's privilege. The wagons thundering past through these narrow twisting streets, the curses of draymen caught in a traffic jam, these alone would suffice to jolt the doziest sea cow of an emperor into permanent wakefulness.

So we can see that noise irritated Juvenal to such an extent that he called the emperor unkind names.

Mr. Lawlor: The minister is not even an emperor. Doesn't it jolt him into activity? It did Juvenal, a long time ago. The noise is about six times as great now.

Mr. Burr: It is supposed to be doubling every 10 years, so it is at least six times as great. Even Juvenal knew that noise—that is, loud, uninvited sound—was injurious to health. Modern medical research indicates that noise constitutes a health hazard, not only as a cause of deafness but also in other ways which I have mentioned. The heart and the blood vessels are affected by noise, so is the output of hormones from glands and the secretions of acid from the stomach all affected by noise. Even the ability of the eyes to focus can be affected by noise.

Because individuals differ in their tolerance of noise, it has been difficult to decide upon acceptable levels. Everyone finds daytime noise easier to tolerate than noise at night. Noise is easier for healthy individuals to tolerate than it is for those who are ill. It's also easier for persons who are making or sponsoring noise to tolerate it than it is for those who feel they are having the noise forced upon them—who feel they are the victims of the noise pollution. Nevertheless, a consensus seems to have been achieved whereby the 85 db level is regarded as the point where hazards begin.

The most serious noise threat is in industry where sawmills, steel plants and construction equipment are in constant operation. Hearing loss is usually so gradual that it is not noticed until it has become permanent. According to insurance experts, one out of every five workers in the United States is slowly going deaf because of noise in his place of work—shop, office or factory. Truck drivers and rock musicians are among the most vulnerable.

Just think of it, Mr. Speaker; 20 per cent of the American work force slowly going deaf, and we are going to have a model bylaw that may or may not be implemented as communities see fit.

A recent California study revealed that out of 26 different construction equipment units tested, 25 had noise levels above human tolerance. Our own Minister of Agriculture and Food (Mr. Stewart) once told us that in tests including 55 farm tractors and 18 other pieces of farm equipment not one of them was below the 85 db level, which is the threshold of hearing harm.

A Saskatchewan health department study showed that farmers had greater loss of hearing than the general public. The loss increases with the amount of time spent on tractors. Among the older farmers cultivating two or more sections of land out in Saskatchewan, 60 per cent had trouble understanding normal speech.

In May of 1972 I introduced a bill called, at that time, Bill 59, the Noise Pollution Control Act, 1972. If I remember correctly, members from all parties in the House indicated support for the principle of the bill, that is for the province to control noise pollution. Yet today, in February, 1975, we are offered a bill to pass over to municipalities the responsibility for controlling noise.

Consider some of the prospects. Some municipalities will pass legislation and thereby set standards; others probably will not do so. The province will become a patchwork quilt of municipalities, some enforcing the standards, others having no standards to enforce. What is legal in one area will probably be illegal a few feet away in another community.

Just to give you one example, Mr. Speaker, let us think of snowmobiles. Most snowmobile operators are exposed to from 100 to 125 db when driving their machines. According to some experts two hours at 100 db is the maximum safe period. At 115 db, 15 minutes on a snowmobile might be too long an exposure. The National Research Council has recommended the wearing of ear plugs for anyone driving a snowmobile for more than 10 minutes.

So you can imagine, Mr. Speaker, the confusion which just this one item will cause if some communities have regulations, others have different regulations and others have none at all. Unless this model bylaw, which we haven't seen yet, has minimum standards that must be included, it seems to me the

bylaw will be most unsatisfactory. Unless the minister can convince me otherwise I feel that in protest we must oppose this bill.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I want to make a few comments with reference to this bill and to confirm what my colleague from Kitchener has said, that without some sort of model bylaw it will be most difficult to determine exactly how to take care of this question of noise pollution.

I happen to live in the northwestern portion of the borough of Etobicoke, Mr. Speaker; and that is the borough I represent. Besides the usual noise pollution problems that come from industry and about which we have complained to the minister and his department on many occasions, we have the problem of the noise from Malton airport. Mr. Speaker, it is apparent that all airplanes must land and take off at Malton airport, but in order to arrive at Malton and to get away from Malton, they must fly over other areas —Mississauga, Etobicoke, North York.

For years, Mr. Speaker, this question of noise pollution has been discussed in this House, and for years we have waited upon this government to bring forth a solution. As the House leader for this party has stated, we will support this bill; but I want to point out to the minister that unless the model bylaw that is proposed takes care of problems that arise in one area and create a problem in another, then we are no further ahead than we have been for many years.

Just yesterday, Mr. Speaker, between 8 and 10 o'clock in the morning, as on many evenings, I heard the rumble of jet airplanes coming over my own home. Perhaps the hon. minister doesn't live anywhere near an airport, but if he did—

Mr. F. Young (Yorkview): He is going to, some time soon.

Mr. Braithwaite: —I am certain that we would have a comprehensive, province-wide noise bylaw by now. I can't tell this House how debilitating and enervating it is when the house shakes, the windows rattle; in some cases the smell of jet fuel that is dumped is so bad people get sick. The previous speaker spoke at great length about the effects that noise pollution can have on the health of individuals. We in the borough of Etobicoke have suffered many of these effects as a result of the noise from Malton airport.

Mr. Speaker, I would call upon this minister to look at the problem of noise pollution from a province-wide basis. Besides granting the individual municipalities the right to pass their own bylaws, there should be a province-wide noise pollution bylaw so that problems of noise from airports such as Malton could be kept at a minimum.

Mr. Speaker, all sorts of people have written to me, to the Premier (Mr. Davis) of this province, and to the hon. minister's department, telling him about the question of noise pollution from Malton airport. On behalf of these people and as a resident of an area that suffers badly from noise pollution from Malton airport, I would ask the hon. minister at this time to consider making an approach to his counterpart or to the Minister of Transport at Ottawa to see what could be done, first of all about reducing the amount of noise pollution which comes from Malton airport.

I know it is customary for people in the minister's position here at Queen's Park to state: "Well, that's not our problem, it's a federal matter." But it is my belief that this government could bring pressure to bear on Ottawa, first of all, to see that regulations are laid down by the Department of Transport at Ottawa which provide guidelines for the noise which can be caused by an aircraft taking off or landing and any of the other incidental pollution that comes from an airport. There are all sorts of technical breakthroughs that I am certain the minister is aware of. There are new types of jet engines. There is insulation. There are new types of aircraft.

As has been spoken earlier, Mr. Speaker, it's obvious these things cost money, but the minister is in a position where he could bring the technical knowledge of his own department to the attention of Ottawa and he could, in co-operation with Ottawa, bring out a joint set of regulations which could minimize the noise at Malton airport.

With reference to Malton airport, there has been an inquiry which has just finished. I believe it is the Gibson commission. This commission's report, although it has not been officially made public, suggests there should be in the short run additional use made of Malton by bringing another runway into operation. At this time, Mr. Speaker, I would ask the minister if he would convey to the Department of Transport at Ottawa, and to his counterpart at Ottawa, the fact that the individuals and the people who live in the vicinity of Malton airport are already at the breaking point from the noise which trans-

ports and other aircraft cause. On their behalf, I am asking that no further expansion take place at Malton airport. In that regard, and speaking personally, I would ask the minister if he would be good enough to speak to his own Premier to determine when the proposed airport at Pickering is to be started; and if he would be good enough to bring to the Premier the wishes of the people who live in Etobicoke, and my own wish, that the provincial government start immediately on the airport at Pickering so that, first of all, there be no need for a temporary enlargement of Malton.

Mr. J. E. Stokes (Thunder Bay): Is that the Liberal position?

Mr. Speaker: May I draw to the hon. member's attention that I think he is varying at bit from the principle of the bill.

Mr. Braithwaite: With respect, Mr. Speaker, I'm talking about noise pollution.

Mr. Stokes: Is that the Liberal policy?

Mr. Speaker: You only can debate what is in the bill; I might draw to the hon. member's attention.

Mr. Braithwaite: Well, Mr. Speaker, I am debating on the fact that the bill does not make provision for province-wide controls.

Mr. Lawlor: Particularly at Malton.

Mr. Braithwaite: Mr. Speaker, I would ask the minister, therefore, if he would be good enough to press for the immediate commencement of the airport at Pickering. Now, Mr. Speaker, I'm speaking personally—that is my opinion and that's what I'm asking the minister to do.

Now Mr. Speaker, some years ago I introduced a bill concerning noise pollution; other members have done the same. Nothing has been done about this up to now. I do feel, Mr. Speaker, that the people of Etobicoke and the people of Mississauga who live in the Malton airport neighbourhood, and who are suffering grievously at this time from the noise pollution and the air pollution caused by aircraft, should be protected. This is an ideal opportunity for the minister to consider a problem such as this, and problems which will arise from the Pickering airport when it is built.

I would ask the minister if he would be good enough to consult with his counterparts, or other officials at Ottawa, to see if a joint set of regulations, bylaws, or some sort of joint co-operation couldn't be worked out, so that this type of problem could be taken care of, and regions such as the borough of Etobicoke would not find themselves in the position where they might pass a bylaw which would have no effect on noise which arises in another area, such as Malton airport.

Those, Mr. Speaker, are my comments with reference to this bill.

Mr. Speaker: The hon. member for Yorkview.

Mr. Young: Mr. Speaker, in rising to speak on this bill, I wonder how it is that my friends to the right are able to support the bill and at the same time talk against it in the manner they have. I also wonder if the hon. member for Etobicoke ever speaks to his friends, Mr. Gillespie and Mr. Flemming, who sit in the seats of the mighty in Ottawa and who should have some influence there in connection with this whole matter?

Now certainly in my riding of Yorkview we get a great deal of aircraft noise and I can quite understand what he's been talking about. I, too, would like to see some regulations so that we have a frontal attack upon this whole problem of noise pollution. We need it there, we certainly need it in his riding, and we need it across the province.

Mr. Braithwaite: I'll speak to Messrs. Flemming and Gillespie.

Mr. Young: All right.

For the life of me, I can't understand why it is that we are simply giving to the municipalities the right to pass municipal bylaws controlling noise pollution.

Mr. Stokes: Complete copout.

Mr. Young: There is no way in the world that industry is going to listen to small municipalities. Are the airlines going to listen to Etobicoke or Malton or any other municipality where they might fly?

I remember dealing with the automobile industry. I've been interested in the matter of automobile safety over the years. One thing we learned is that the industry always said: "We can't make cars safer." They said this until it was mandated by government that safer cars should come. Piece by piece and item by item, the governments mandated that certain changes should take place, and the industry suddenly discovered that it could design those motor cars to adapt to the situation and to conform with the legislation.

Now there is just no way we are going to have any kind of frontal attack upon noise pollution until we get wider standards set,

and the municipalities are able to set and to enforce them. In most cases municipalities aren't going to bother; small municipalities will simply say we haven't the power to enforce a bylaw, so why pass it. I can think of large municipalities that might very well set up a noise bylaw and have the power to enforce it through an inspection service because they can afford to do it; but just across the street from that municipality a smaller one may decide it is not going to do anything that it hasn't the financial resources to enforce it, so the bylaw is left out. So across that street there may be certain industries that are very high in noise pollution; or as the member for Windsor says, they will likely move there too.

The fact is there is no way the municipality which has passed the bylaw can enforce it in a neighbouring municipality.

So I say to the minister, that if he is serious about this business—and we have talked about it in this House for a long time—he is going to set a decibel level which is mandated across the province.

He certainly wouldn't make it any higher than 85 db. If he can mandate that decibel level he will find that it will be taken seriously by all those who are responsible for noise pollution; and then we will be getting somewhere. But as long as we leave it fragmented, as long as we leave it to the individual municipalities to pass the bylaws and to enforce them, then noise pollution is going to continue as one of the dangers of life in our civilization.

So I say to the minister today, surely he is not going to be satisfied with this kind of tokenism, this kind of weak legislation, which means nothing, really, in the effective setting up and enforcement of standards in connection with noise pollution. So I ask the minister to withdraw this legislation and to bring into this House legislation which sets minimum standards—across the province at least—and make some provision for enforcement of those minimum standards right across the province of Ontario.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Speaker. I wanted to make a few comments concerning an Act to amend the Environmental Protection Act, the Act that gives municipalities permission to introduce noise bylaws.

Going back in the history of this Legislature, Mr. Speaker, I can recall that at one time there were quite detailed studies carried out in the city of Toronto, and if I am not mistaken at one time there was a select committee of this House that looked into the effects of air pollution, smoke control, and had noise as one of the sidelines in the studies. Back in 1961 the then Ontario Department of Transport, now the Ministry of Transportation and Communications, came down with a report on motor vehicle noise research. This report is quite detailed and it should be must reading for the minister before he introduces any type of model bylaw with which a municipality can control noise.

I would have preferred, Mr. Speaker, to have had noise control part of provincial responsibility rather than a municipal responsibility, because just as—

Interjection by an hon. member.

Mr. B. Newman: No, I would rather see some kind of a noise bylaw than none whatsoever, and I think the introduction of noise control legislation so that municipalities can introduce their own noise bylaw will show the government this is not the correct way to approach the situation, because we are going to have a hodge-podge of bylaws introduced throughout the length and breadth of the province. One municipality may introduce a noise control bylaw, while the other will not. As a result, we're going to have them vying for industry, and industry is going to go into the area where there is no noise control bylaw.

Just as we had a similar problem in the development of shopping centres, we may have the same problem in the development of industry throughout parts of Ontario. Rather than setting up in a given community, they'll cross the division between one municipality and another and set up shop there, so to speak, and then punish the residents of the adjacent community with noises emanating from the industry.

The Ministry of Labour and the Ministry of Health, I know, have some control over the effects of noise on the health of an individual. For example, in the year 1970, if I'm not mistaken, the Workmen's Compensation Board paid out well over $1 million in claims —claims for injury that affected the hearing of the individual and his ability to work. And in 1971, if my memory serves me correctly, the claims increased by about 27 per cent. Therefore, if it cost $1 million in 1970 to pay off claims, it would have cost substantially more in 1971; and I assume the total has progressed through the years because there was no noise control legislation on the part of the province.

As I said earlier, a municipality may attempt to attract industry by being lax in introducing a noise bylaw and, as a result, it may lead to hodge-podge development and to unpleasant differences between municipal councils throughout certain areas of the province.

I think the minister should have had a model bylaw so that municipalities at least could start immediately to introduce their by-law. Proving to the minister that it doesn't work well this way—

Mr. Lawlor: One would think he would have that at least.

Mr. B. Newman: —and that it would work better if it were at the provincial level rather than solely at the municipal level, in my own community there are noises emanating from another jurisdiction which can cause problems. For instance, there are the boats going up and down the Detroit River, which means we're not only involved with another municipality but with another jurisdiction; as a result, federal authorities on both sides of the international boundary will have to be involved.

On the Detroit River there are ferries that transport railroad cars between Windsor and Detroit. In one location, around 120 Oak, at Riverside Dr., there happens to be, I believe, a nine- or 10-floor senior citizens' highrise building. Here we have the elderly living in nice accommodation, and right in front of them is a ferry shunting back and forth, taking railroad cars between Windsor and Detroit. The senior citizens are being bothered at a time in life when they should not be bothered, when they should be able to enjoy peace and tranquillity. But they can't open their windows at any time of the year because of the noises from the railroad facility along the Detroit River.

My own community also suffers from the effects of aircraft, as was the case in the ridings of the two previous speakers. The flight path for Windsor airport is over some substantial residential areas, which are not only subjected to fume pollution from aircraft coming in and landing but also to the noise from aircraft taking off. In my area the noise is greater when they take off.

I live approximately four miles from the airport, Mr. Speaker, yet let me tell you that the house actually vibrates when some of the big 747s go thundering off on their way to the sunny south, transporting primarily residents of the United States who are looking for a holiday week or weekend in the West Indies and points farther south than that.

I also see railroad tracks in a community. Were the government to hasten its programme of relocation of railroad tracks, then I think they would be doing a real service to the community. I look along probably one of the more beautiful areas in the Province of Ontario, that is, the drive along the Detroit River, Mr. Speaker, where you can see the Detroit skyline, yet directly in front of you for some area of that you have the railroad tracks. The rail facility there certainly isn't pleasant to the eye, let alone pleasant to those who have to live within 150 or 200 ft of the railroad track. Not only is there noise but also other types of pollution that accompany that type of an operation.

I can also see that, with the relocation and the removing of those tracks from an area like that into some other area within either the city limits or outside limits, then probably a lot of the noise problems could be eliminated.

The CPR railroad track happens to come right at the southern extremity of my riding. It goes through a fairly nice area—in fact, one of the better areas of the community—yet trains come thundering through at times. Once upon a time, when we had the steam engine, they didn't carry and tow as many cars as they do today with a diesel. They'll put two, three, or maybe even sometimes four diesels towing any number of railroad cars. The tremendous weight they are towing and the working of the diesel engines just vibrate the whole terrain in the area.

There are homes that are worth anywhere from $50,000 to maybe $200,000 in the area. It's only a recent innovation. When people moved into the area they thought the type of facility that was there was going to remain as such. With the advent of the diesel engine and the ability to tow heavier traffic, and maybe because it was economically more viable for them to have a train towing a substantial number of cars, they came along and punished the people in the area.

I hope that any noise bylaw, any sample bylaw, would give the municipality the power to come along and effectively control noise from the railroad facility, even though that may be a federal responsibility, as I think is the case in the control of the railroad location. I think something has to be done so the municipality has some control over that, otherwise they are going to keep punishing people either by aircraft or by the railroad tracks indefinitely.

There has to be some method, I don't think of eliminating it completely but mini-

mizing the noise from the railroad track facilities and also aircraft. I think that our ingenuity and our ability to do practically anything mechanically should be put to good use to control noise. As we all know we can take a man from the face of this earth and send him down to the moon and bring him right back, yet we seem a little slow when it comes to controlling the noise, especially that noise emanating from aircraft and from the railroad.

Mr. J. F. Foulds (Port Arthur) Moon rockets.

Mr. B. Newman: I think the need there, really, is for some type of relocation, plus technical expertise to muffle and cut down as much of that noise as possible.

Another thing that does disturb me is that in a community one may have an area zoned for a given use. An individual will set up a motorcycle shop there. It's all right to have motorcycles and to repair motorcycles there, but when it comes to testing the motorcycles, and especially when a residential area abuts the area where the shop is located, the individual can get the permit from the city to have a motorcycle repair shop and when it comes to testing the results of his repairs he goes outside the shop-zoned area to test them. Then the people living in the area adjoining the motorcycle repair shop are bothered at all hours of the day, and sometimes night, by the testing of the repaired motorcycles.

In my own case, a man living on Highland Ave. who complained bitterly to the city found that he could do nothing. The area was zoned to permit such an establishment there. I hope that any sample bylaw the minister may introduce will come along and forbid at least the testing of automotive equipment when the premises adjoin residential property, because this man has been punished now for years and years. He's lived in the area for 52 years. About 18 months ago some people rented a vacant store next to his place and set up a motorcycle repair shop. They are punishing him now and will continue punishing up until the time that business is removed from the area.

I certainly hope the minister brings in some type of sample bylaw for municipalities to copy and I hope it covers many of the points I have made mention of. I'm concerned about the railroad noise. I'm concerned about aircraft noise. I'm concerned about noise from various types of automotive vehicles. The study to which I referred earlier indicated back in 1961 that a problem was there and that the problem could be controlled, and it is better to be controlled on a provincial level rather than on a municipal level.

I understand the municipality of Metropolitan Toronto introduced legislation back in 1958 but found that it was inoperative. It couldn't do anything. It couldn't come along and enforce the legislation. Mr. Speaker, I hope the minister takes some of these points I have introduced here to heart and, if necessary, amends the legislation he is introducing here in a clause by clause study so that some of these problems can be eliminated. I prefer this to be done on a provincial level, but if he is not going to do it on a provincial level let's get a start at the thing at least on the municipal level and try to overcome the problem. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: The New Democratic Party is going to vote against this legislation and we further intend to divide the House. That is how strongly we feel about it. The few remarks that I have to make, Mr. Speaker, will I trust be in thorough castigation of the minister.

Almost from the time I came into this House over seven years ago—and certainly since a certain Throne Speech, which I think was the Throne Speech of 1971, when the government hullabalooed the coming into effect of a provincial law with respect to this matter, covering the whole province, having teeth, having some points, setting up parameters. At that time the minister used to wring his hands and say that he was waiting on further research and further investigations. Since that time an infinity of other jurisdictions have moved ahead—California, Michigan, one can name them; the list is as long as one's arm and Ontario sits still, still twiddles its thumbs and does nothing.

As a matter of fact, may I say—and I say this with a certain reservation—the only decent cabinet minister having anything to do with the environment that we ever had was the first one—I mean the member for Halton West (Mr. Kerr)—

Mr. I. Deans (Wentworth): And he wasn't much good.

Mr. Lawlor: —and he was pretty weak-kneed too. But since that time there has been a series of disasters, and this minister is just the latest of all the disasters. He brings in tabs on non-returnable tins or something; any

type of pusillanimous, weak-kneed claptrap. It's a pretence, it's just pure hypocrisy on his part—

Mr. Deans: Why doesn't he quit?

Mr. Lawlor: —the present legislation that he is bringing forward, particularly in light of what his government has promised by way of the Throne Speech and what we who have attended on occasion the environmental hearings downstairs have been told.

The government is under a mandate to do this. It's not as though it had any option about the matter; as though it could do it in due course. The matter is compulsive, it's necessary, there is a crying need for it, and this government has made a sovereign promise to abide by it. And what does the minister do? He comes in at this latter hour before a provincial election and, as a milksop measure, presents this sort of nonsense to us. It's innocuous legislation which has no guts to it.

Does this minister have no guts either? Can he not move in an area of this kind, where any number of other institutions have done so and where he has an obligation? The minister assumes this mantle, this ministry, precisely to bring in some such legislation.

This is the last great area in the province which is completely vacuous, where there isn't any law that is really determinative. My colleague has pointed out the detrimental effects, particularly in whole areas of physical health, in which it has been proven, scientifically determined, to be affecting human beings in a most immediate and direct way. Noise has a tremendous influence. He didn't go into the wide range of mental disabilities. Juvenal mentioned insomnia, but what I mean is phobias and various forms of mental disease and inability to cope which are perhaps not induced—but even then are possibly induced—but in many ways made worse and perpetuated by the presence of noise levels which drive people literally crazy. That is a very pervasive thing in our society and it is the minister's job in this particular respect to do something about it.

What does he do? He delegates off to the municipalities some responsibility that the minister hasn't even defined. He doesn't give them any indicia; he doesn't give them any guidelines. Where is the minister's wretched model code? Where has he brought it into being? Nowhere.

I have heard the environmental people, out there in attendance upon our caucus and otherwise, talk about this measure over the past 2½ years. And at the beginning they spoke sometimes in high anticipation and hope. We were optimistic; something was going to happen; it had been promised by the government. There was a certain confidence in the minister and his ministry and in the government that it would be forthcoming. But here we sit in these latter dreary days in February without any sign of it.

To compound his negligence and his complete incapacity to hold the post that he has, he sifts it off to somebody else without any guidelines whatsoever telling them what to do.

I say the minister's legislation is totally innocuous. Not only that, it's unnecessary. As I know the situation, there are bylaws, at least where I come from in Etobicoke, at the present time on noise.

I agree they are completely unenforceable. I had a case of a garage on Evans Ave. in Etobicoke; the blast coming out of that place was simply dreadful. They took him to court under the municipal bylaw, with the building inspector and others giving testimony. Of course, they were thrown out. There were no standards. The evidential quality wasn't great enough in trying to pin it down, trying to measure and trying to convince the court under the circumstances.

That is the whole reason—because municipal bylaws were ineffective and couldn't be enforced—that the minister was to bring in legislation to cover that, that was my understanding. The municipalities felt their hands were tied, that there was nothing they could do. They have made appeals to this government over a long, long period of time now, time out of mind, asking the minister to do something about it. And what does he do this afternoon? He goes out to the basketball court and hands the ball back to them and says: "Go ahead, bright boys, and do the job I am incompetent to do."

If he is really incompetent and he recognizes the degree of his ineptitude, then he should quit, get out, because he is only making a mockery of this assembly and this House in coming and presenting legislation of this kind to us.

I say that maybe the noise has got to him. Maybe he is deaf to appeals. Maybe his decibel level is falling rapidly. In any case, in a speech of this kind, I am endeavouring to spur the minister on, to give him a kind of lift. If he can't be coaxed into doing something, maybe he can be bludgeoned, I don't know. We try everything to make him move and what do we get? A complete washout, a dreadful watering down of everything. He sits there, mute of malice, in a kind of bath of stupidity. He has the equipment; he has

a wonderful staff around him and they clearly equip him with what is necessary in this particularly area. He can designate areas as he sees fit within his legislation if he only had the gumption to bring it into effect.

Now that's the way things look to us over here. We can't give any recognition to this kind of malarkey. We will not only ask that it be taken into committee to give it the roughest time possible, but we will contest it on this occasion.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. The bill before us deals with perhaps the smallest part of the five aspects of noise pollution. All these matters have been discussed by this government over the past few years; especially by the former Minister of the Environment as well as this Minister of the Environment. It is almost inconceivable that the government is dealing with only one of five aspects of the noise problem.

The original Environmental Protection Act had sound vibrations in its definition of contaminates. Away back in 1971 when the Premier announced that there was a bill of rights for the protection of the environment, the whole matter of noise pollution was under discussion. It was said that as the ministry developed its other aspects of environmental pollution controls, noise would be dealt with at a later date.

The people went along with this. My own municipality wanted to do something about it two or three years ago. They asked me at that time how long it would take. I said they were doing research and it would take two to 2½ years before the minister came out with regulations to deal with noise under the Environmental Protection Act.

They said: "Why should it take so long? They said it would be less than that."

I said: "Well, if they say a year, give them 2½ years and they might get it done."

We find now that after 3½ years all the government is dealing with is a model bylaw for the municipalities.

Let me just read, Mr. Speaker, some of the things that have been said by a former Minister of the Environment, as well as this minister.

There was a release, "Toward a Quieter Future," issued by the hon. J. A. C. Auld, the former Minister of the Environment, and the deputy minister, Everett Biggs. It dealt with "Noise, the Shock Heard around the World." It said:

> Ontario is presently preparing noise regulations under its Environmental Protection Act. These regulations will be enforced by the air management branch of the Ministry of the Environment.
>
> The first will be aimed at curbing operational noise from motor vehicles and will put about five to 10 per cent of all vehicles on the road in violation—the majority of those because they are being driven noisly.
>
> While this programme of noise enforcement will eventually be extended to all Ontario, this regulation will be put into effect initially in the cities of Toronto and Hamilton. Vehicle noise will be measured by instruments placed along roadsides. Drivers or owners of those vehicles exceeding noise standards will be subject to fines.

We heard expounded in detail how environmental offices, in co-operation with the municipal police and the OPP, would set up their highly portable equipment. We were told: "Oh yes, we can whip this around as easy as a radar unit." They would set up their highly portable equipment and catch those offending motorcycles and those offending trucks. It was all going to be done through the air management branch. It sounded like an extremely good idea.

Mr. Breithaupt: When was that?

Mr. Good: The agencies were to be acting all across the province. Well it's a very significant thing that the ministry did not put a date on any of its proclamations about dealing with noise. This document I have just read doesn't have a date on it.

With this next document, of course, I smartened up a little and put my own date on it when it became available. This is a summary of the provincial noise programmes, 1973-1974. This particular document says: "Beginning in July, 1973 . . ." Well, the ministry released this, but stroked out the word "July" and wrote "November" in it. It says:

> Vehicle noise regulations could be put into effect that would limit the operational noise levels of individual autos, trucks, buses and motorcycles at different speed ranges during acceleration. The noise levels are selected so that five to 10 per cent of the vehicles may be in violation.

There was another quote put out and it gave the levels of noise they anticipated would be

selected for the various types of vehicle noise. As recently as last year we were told the work was proceeding satisfactorily; in Metro Toronto and in Hamilton they were doing their spot checks. They were doing their studies and everything was great and we understood the regulations would be in effect. Finally, in the Ministry of the Environment estimates last fall, we heard the disastrous news that the province wanted out.

Either the minister is inefficient or else he is biting off something he can't chew and he's throwing the responsibility to the municipalities to deal with, saying it's not his responsibility. It's one or the other. One doesn't talk about a thing for about five years and then suddenly give up the ghost and push it off on the municipality unless there's some underlying cause.

The people of Ontario will now know that this ministry is just unable to deal with this problem of noise, because it is shucking it off on the municipalities. Voting against the bill isn't going to show the minister what a bad job he has done of it. He has done one little thing; and for that, I suppose, we've got to be grateful, because the old existing bylaws dealing with noise dated back to 1858, under the Municipal Act of that year. An Act respecting the Municipal Institutions of Upper Canada was given royal assent in the name of Queen Victoria in 1858. A section of that Municipal Act dealt with the fact that municipalities could make regulations to regulate the ringing of bells, the blowing of horns, shouting and unusual noises, as well as the barking of dogs.

From 1858 until 1975, the government has now come up with one little aspect of the noise problem. It's unbelievable. In the regulations of operational noises of vehicles, which the minister has researched and checked out in all the municipalities, it was going to handle them the same as it did the air management branch.

Now I must confess that while there are many problems in certain cities about the air management branch, in my own region the air management branch has done a reasonably good job. They've cleaned up all the sulphur foundries and all the ferrous foundries in the area; I think there were 14 of them. It took them quite a while, but I would say they now have all the foundries under control.

It was a natural succession of events that they would now spend their time in getting the noise problems cleaned up. Instead of that, this new minister decides that he doesn't want any part of being responsible for noise pollution across the Province of Ontario, so he has probably talked his officials and the Premier and the government into shucking it off on the municipalities. He probably did it on the basis that they can save a bundle of money by doing it that way and have some money left to hand out goodies, because this is an election year. Well he is going to reap more harm from doing this. He has now alienated another group of people in the province, those who thought he was going to do something about noise.

Mr. Lawlor: The member is going to vote for it so he should be careful? He doesn't want to alienate any person along the way, does he?

Mr. Speaker: Order.

Mr. Good: The ministry was going to tackle ambient noise levels. In particular they have done studies in Hamilton, London, Woodstock, Kingston, North Bay and Sault Ste. Marie. The city of Toronto has at the same time carried out its studies. You know, Mr. Speaker, that the municipalities have proven that you can't get convictions under noise bylaws. Unless the minister tables with that bill his model bylaw, we can't tell what's in here at all. Out of respect and courtesy to this House, he should have at least shown us what he was going to give the municipalities.

As for stationary noise source regulations, this is what the minister said:

> With the information derived from Phase II, plus a study of specific types of noise sources, regulations will be formulated for a wide variety of stationary noise sources. These regulations will likely limit the noise level at the property line, or at the receptor in the case of less populated locations.

Then the ministry went on to state that it was going to provide a model bylaw for the municipalities to deal with nuisance noise, such as noisy neighbours having a party and this type of thing. That couldn't be controlled in any other way. The minister doesn't even say in this legislation what types of anti-noise bylaws he is going to suggest the municipalities pass. He hasn't given us any indication what kind of model bylaws he is going to give the municipalities.

Finally then, the fifth point, the ministry was going to control operational noise of recreational devices, such as boats, trail bikes, snowmobiles, and at gun clubs and the like. All in all, away back from 1971, the ministry did a great job of making promises. Un-

fortunately, they have taken one little lousy step—pardon me, one little step here—

Mr. B. Newman: I think the member was right the first time.

Mr. Braithwaite: Come on, say it louder.

Mr. Good: —to provide the municipalities with a model bylaw. So that means that the municipalities are going to have to set the framework within which to enforce noise regulations. The city of Kitchener, in co-operation with Pollution Probe from Waterloo University, have a noise committee of council, and they dealt extensively with setting up a model bylaw. Edmonton had a very good model bylaw, if my memory is correct. The city of Kitchener was ready to enforce its bylaw but it got letter after letter after letter from this ministry saying. "Forget about it, we are going to look after noise as soon as we get our regulations ready. You are wasting your time, you are wasting your money worrying about establishing a bylaw."

Here is a letter, Mr. Speaker, that the minister wrote back to a constituent of mine last summer. The letter is addressed to Mrs. Walter Nurgarth, 17 Young St., Waterloo. She had written to the Premier complaining about the inability of the municipalities to control noise within the municipality, and asked why the province doesn't do something about it. She had contacted me and I told her the province would be going to do something about it. Believing it to be true I said, "We expect it very shortly."

We have been talking about if for three years and while that is a short length of time for this government to talk about something before they do it, I really believed that they were going to do something about it.

Mr. Foulds: Beware of Tories making promises.

Mr. Good: The letter goes:

> Thank you for forwarding to myself a copy of your letter of April 17 to Premier Davis concerning an anti-noise law. [This was 1974.] The Ministry of the Environment has been involved in the field of noise control for a considerable time now, but it is only in the past six to 12 months that we have been able to recruit a significant number of people trained in noise control.

In the estimates the minister had told me that one of the reasons the province was giving up was the lack of trained people in the province. Now here he tells her that he has attracted a significant number of trained people in noise control. How does the minister expect the municipalities to do anything about it? Where are they going to get the staff?

> With this experience now available to us, we are concentrating our efforts toward the preparation of two regulations that will enable us to control these noise sources that represent the greatest problem to the residents of Ontario, as witnessed by the number of complaints about noise that we have received. These two regulations will deal with the noise from roadway vehicles and the noise from stationary sources, such as industrial plants, air conditioners, car washes, etc.
>
> When regulations dealing with these aspects of the noise problem have been prepared, we will be addressing ourselves to other problem areas, such as the preparation of a model municipal bylaw to deal with noises caused by the inconsiderate actions of people.

Well, somehow the minister got to that, but he bypassed the important stuff.

> Such a bylaw would be available for adoption and enforcement by a municipality at the discretion of its council. It will be prepared to avoid some of the difficulties that are now experienced in enforcing bylaws with wording such as "unusual noises likely to disturb the inhabitants are prohibited." The intent of the model bylaw will be to be more specific in terms of what is or is not to be permitted.
>
> Please be assured that the provincial government is extremely concerned about the problem of controlling noise and is concentrating on the preparation of laws to control this insidious form of pollution. As noted above, we also intend to support and advise municipalities in the development of bylaws for effective noise control at the local level.
>
> Yours sincerely,
>
> William G. Newman,
> Minister of the Environment.

Mr. Braithwaite: Garbage.

Mr. Good: I don't know how the minister can face the people of the province—

Mr. Lawlor: A terrific letter.

Mr. Foulds: That's just in case you have an identity crisis these days.

Mr. Speaker: Order please.

Mr. Good: —having gone through all this charade for the last three or four years stating what they are going to do—they are going to handle it through the air management branch; they are going to have uniform provincial regulations. All we heard about the other aspects of the private sewage problem in the province was because there were unequal regulations all across the province. Finally the minister assured us that the bill last year, the amendments to this same Act, would guarantee equal enforcement all across the province, so that one medical officer of health would not make mandatory what his next-door neighbour would not allow.

The same thing is going to happen when the municipalities have to try to do something about the noise problem. Mr. Speaker, you're going to find the same situation that now exists as it relates to the location of industry when the discharge of metallic wastes into municipal sewage systems varies by 100 per cent from one municipality to another. Naturally, if an industry can put twice as much contaminant into a municipal sewage system in Toronto than it can in Kitchener, there's going to be an incentive to locate in Toronto. Similarly, if an industry can go into a municipality that does not have noise bylaws, or it has a laxer noise bylaw, that is where it is going to locate.

Mr. Speaker, regarding the bill itself there are a few questions that I think should be made clear. Under the definition section it would appear to me that a region will be precluded from making noise bylaws. The definition of municipalities says: "Local municipality means a city, town, village or township." Surely, it would be advantageous to have, in those municipalities where regional governments exist, the noise problem dealt with on a regional basis. Maybe I'm misinterpreting this.

Another thing that I'm concerned about is that these bylaws will be subject to part XXI of the Municipal Act and, when I looked that up, it appears to me as a layman that that means fines under these noise bylaws will be limited to $300. Now, if I'm wrong on that I would like to be corrected.

Finally, Mr. Speaker, I think that the minister should at least have had the courage to show us what he is intending to give to the municipalities as guidelines for their bylaws. Actually, it's almost disgusting, Mr. Speaker, that he's come forth with such a little bit after four years of promises.

Mr. Speaker: Does any other hon. member wish to take part in this debate?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, it was very interesting to listen to all the comments today on the amendment to the Act regarding noise. I think a few things should be cleared up regarding the legislation we brought forward today.

The purpose of this legislation, of course, was to give some power to the municipalities to pass bylaws under the Environmental Protection Act to eliminate many of the problems they have in those municipalities which have passed legislation or bylaws under the Ontario Municipal Act.

When this legislation is passed we intend to mail out a copy of a model noise bylaw to every municipality in the Province of Ontario. We would hope we will be able to do that within the next two or three weeks. We want their comments; we want their suggestions; and we are prepared to meet with the municipal people throughout the province to discuss this model bylaw. It is a very sophisticated bylaw, but a municipality, depending on its location—

Mr. Lawlor: If the minister has it ready now, why haven't we got it?

Hon. Mr. Newman: Because it is not quite finalized. There are to be two or three changes.

Interjections by hon. members.

Mr. Braithwaite: Why didn't the minister hold the bill up until he had everything ready?

Hon. W. Newman: The bylaw will be ready to go next week to the municipalities in this province for their comments.

Mr. Good: The minister told us in 1973 that he had everything ready.

Hon. W. Newman: The bylaw is ready.

Anyway, we will be taking this to the municipalities; we will be asking them for their comments. One of the reasons why we suggested in this legislation that there should be ministerial approval on the particular piece of legislation was to get some degree of uniformity in various parts of the province. Whereas a city like Kitchener-Waterloo, in the member's area, or the city of Toronto may want a very sophisticated bylaw, some of our smaller municipalities may require a much less sophisticated piece of legislation or bylaw.

Fortunately today, for a cost of about $500 a piece of equipment can be purchased by the smaller municipalities which will give

them a very accurate reading of the noise problems they are faced with in their municipalities. If the small municipality has anyone to carry out this work, we're prepared to train that person for a week to use this particular type of equipment.

Mr. B. Newman: Will the minister provide them with that equipment—the sophisticated devices?

Hon. W. Newman: No, they can buy a piece of equipment for testing noise for about $500. We will not buy it for them, no. But we will train them on the use of them and how to handle them so they can actually lay charges under their bylaw. One of the problems, as the member said himself, has been the inability of the municipalities to deal effectively with the bylaws they have now. Under the legislation we are dealing with today, they will be allowed to do just that.

When these model bylaws go out to the municipalities, we will be asking them for their comments on them.

Mr. Foulds: I'd like to see those comments as they come back.

Hon. W. Newman: There are some municipalities—Toronto for one—that have legislation now, and they are allowed to keep their legislation. They don't have to come in under this particular legislation unless they want to.

Mr. Lawlor: The minister has a bloody nerve bringing in this legislation. What's wrong with him, coming in with carte blanche legislation?

Hon. W. Newman: The hon. member may think so, Mr. Speaker, but I see him wearing that thing in the House ,and I wonder if he is wearing it because he gets tired of listening to himself.

Mr. Lawlor: He is a pretty purblind minister, that's all I can say. Who does he think he is?

Mr. Speaker: Order, please. The hon. minister has the floor.

Mr. Lawlor: It's the height of nonsense.

Hon. W. Newman: I listen to the hon. member—

Mr. Lawlor: It is an arbitrary piece of business.

Hon. W. Newman: —but he obviously doesn't want to listen to me—

Mr. Lawlor: Not the way he puts legislation through this House.

Mr. Speaker: Order, please.

Mr. Good: The minister must be bloody well ashamed of himself.

Hon. W. Newman: I am very proud of the fact that we are saying to the municipalities, "Look, we are giving you the opportunity to pass these bylaws. We'll help you. We'll give you the expertise. We'll give you the knowledge that's necessary. We'll help you work out a model bylaw for your municipality."

Mr. Lawlor: The last people he tells are people in the House.

Hon. W. Newman: As for some of the comments by some of the members opposite about airplane noise and airport noise, they will realize that both of these come directly under the jurisdiction of the government of Canada; and the federal government has cut back on its funding allocation through their federal noise programme this year to the point that the programme has been effectively suspended. But we are now moving forward with our programme here.

Mr. Foulds: We're going forward with our programme? Tell us how.

Hon. W. Newman: In response to the member for Etobicoke, who asked me to endorse the airport at Pickering, quite obviously he doesn't know my feelings about that. However, I assume that's the official position of his party; if it is, I'd like to hear it.

Mr. Braithwaite: What are the minister's feelings?

Hon. W. Newman: My feelings are very well known. The Hon. Jean Marchand—well, we are not going to get into that today.

Mr. Braithwaite: What are the minister's feelings?

Mr. Speaker: Order, please. Shall we return to the principle of the bill?

Mr. Braithwaite: The minister said I don't know his feelings. I would like to know what his feelings are.

Hon. W. Newman: Mr. Speaker, I feel sorry for the member. If he doesn't know my feelings, quite obviously he doesn't read the newspapers.

Mr. Foulds: He doesn't have to tell us his whole love life.

Mr. Braithwaite: Why does the minister feel sorry for himself?

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. W. Newman: Mr. Speaker, in conclusion, we feel that we can work with the municipalities of this province to build a bylaw with them and, with our help and guidance, one they'll be proud of, because sometimes it's difficult to have particular bylaws for the city of Toronto or the city of Windsor which would be applicable in some of the more northern municipalities. This bylaw will be going out to the municipalities, and there will be a lot of discussion before it is passed. We'll be working with them to work it out on an effective basis. Thank you, Mr. Speaker.

Mr. Braithwaite: Mr. Speaker, may I ask the minister if he would be good enough to comment on how the model bylaw is going to regulate noise pollution from airports? He didn't cover that in his talk.

Hon. W. Newman: Mr. Speaker, I just finished saying that as far as noise from aircraft and airports is concerned, it's strictly under federal jurisdiction. Surely he knows that.

Mr. Braithwaite: That's a copout.

Hon. W. Newman: No, it's not a copout.

Mr. Speaker: Order, please.

Hon. W. Newman: The hon. member's federal counterparts have cut their budget so much that in effect they have wiped out their noise programme.

Interjections by hon. members.

Mr. Braithwaite: It's a copout.

Mr. Speaker: Order, please.

Mr. Good: What about the question I asked?

Hon. W. Newman: Mr. Speaker, I am sorry; there was a question regarding regional municipalities. We said "local municipality," and we meant "local municipality." Under this legislation, if all the local municipalities in a regional municipality agree, they will be permitted to go that route by passing a similar bylaw and turning the enforcement over to the region if they wish to do that. If they can agree within the region, that really takes care of that.

Was there one other question?

Mr. Good: What about the fines?

Hon. W. Newman: The fines, yes. The fines are from $50 up to $1,000.

Mr. Good: Under that section?

Hon. W. Newman: No, under a section of the Ontario Municipal Board Act and the bylaws, they will be permissive from $50 to $1,000.

Mr. Speaker: The motion is for second reading of Bill 190.

The House divided on the motion, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Auld	Burr
Bales	Cassidy
Beckett	Davison
Bernier	Deans
Birch	Ferrier
Braithwaite	Foulds
Breithaupt	Germa
Campbell	Laughren
Carruthers	Lawlor
Downer	MacDonald
Dymond	Renwick
Eaton	Samis
Edighoffer	Stokes
Evans	Young—15.
Ewen	
Gaunt	
Gilbertson	
Givens	
Good	
Haggerty	
Hamilton	
Handleman	
Havrot	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Irvine	
Jessiman	
Kennedy	
Lane	
Leluk	
MacBeth	
McIlveen	
McNeil	
McNie	
Meen	
Morningstar	

AYES

Newman
(Windsor-
Walkerville)
Newman
(Ontario South)
Nixon
(Dovercourt)
Nixon
(Brant)
Nuttall
Parrott
Paterson
Reid
Rhodes
Riddell
Rollins
Root
Ruston
Scrivener
Singer
Smith
(Simcoe East)
Snow
Spence
Stewart
Taylor
(Prince Edward-
Lennox)
Taylor
(Carleton East)
Turner
Villeneuve
Walker
Wardle
Welch
White
Winkler
Yaremko—66.

Clerk of the House: Mr. Speaker, the "ayes" are 66; the "nays" 15.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Some hon. members: Committee.

Mr. Speaker: Mr. Minister, which committee?

Hon. W. Newman: Committee of the whole House.

Mr. J. A. Renwick (Riverdale): Which committee do members want?

An hon. member: Standing committee.

Mr. M. Cassidy (Ottawa Centre): Send it out.

Mr. Lawlor: Bring in the model in the meantime. He's not going to bring in the model in the meantime.

Mr. Speaker: Committee of the whole House, so ordered.

Clerk of the House: The fifth order, House in committee of the whole.

ENVIRONMENTAL PROTECTION ACT

House in committee on Bill 190, An Act to amend the Environmental Protection Act, 1971.

Mr. Chairman: Does any member wish to speak on any section of the bill? Section 1, the hon. member for Waterloo North.

On section 1:

Mr. E. R. Good (Waterloo North): I would like to know if the minister consulted with the regions and asked them whether or not they wanted to handle this on a regional basis or an area government basis, because I think it could create very large problems if various area governments adopt a different level of standard for noise than do others adjacent within the same region. You have sewage treatment on a regional basis, you have landfill on a regional basis, you have got all other types of pollution control on a provincial basis, you have got private sewage handling on a regional basis, and I just fail to understand why this would be done in this manner unless the regions have particularly asked for it. Indeed, have they been consulted on this matter? I would like to know.

Interjections by hon. members.

Mr. Chairman: Order please.

Hon. W. Newman (Minister of the Environment): Mr. Chairman, I was talking to the chairman of the PMLC, explaining what I was doing and pointing out that in our definition here under the Act we are talking about a "local municipality" meaning a city, town, village or township. I think as I explained to you earlier on, if the municipalities within a region can all agree on the type of bylaw they want to set up, if they can concur on that, it is possible for the municipalities to request the region to enforce it. But at this point in time we feel that we would like to get the comments of the municipalities at some future date. If the municipalities feel the regions should look after it, then certainly

we would be glad to enter into consultation with them on it.

Mr. Chairman: Order please, there is too much talking going on in the Legislature. It is impossible to hear the member who wants to speak.

Mr. J. R. Breithaupt (Kitchener): Further on section 1, Mr. Chairman; does that mean then, Mr. Minister, that perhaps the smallest municipality within a region has in effect a veto power to block one standard bylaw that would be in effect for the entire region? Surely if that is going to be the possibility, it would seem to me that within a region itself—as my colleague from Waterloo North has said—and, say, particularly in the region of Waterloo in which we are both members, that you may well find some unfortunate results.

One realizes, of course, that the whole development of a two-tier system is to leave meaningful decision-making powers at each of the levels. If, however, you have proceeded now to effectively give control to the regional level, the areas that my colleague has referred to, then it would appear to me an impractical result to not have this development based on a regional system. It seems to me that the idea of a regional bylaw that would treat people equally and fairly within the whole area would be preferable to the patchwork that could otherwise develop.

Hon. W. Newman: Well, Mr. Chairman, the member has a point there, but you also have regional municipalities which encompass anything from a very heavily urbanized area within cities to a very rural sort of a situation. Thus here we are talking about the local municipalities, not including the regions. If they can get together and work something out, fine. We are quite prepared to work with them on it.

Mr. J. A. Taylor (Prince Edward-Lennox): Mr. Chairman, as I understand it, the local municipalities now have the authority to pass bylaws in regard to noise within their municipalities; that's up to the participating municipalities and regional governments. Why not carry it forward and give it to the municipalities which have a divergence of opinions and development? Rural areas probably don't demand the same restrictions as a highly urbanized area would require. It's because of these geographical and sociological differences that municipalities should be able to determine what is best within their own locale.

I certainly support the section as it is written.

Mr. Chairman: Does section 1 carry?

Section 1 agreed to.

Mr. Chairman: Section 2? Does any member wish to speak on section 2?

The hon. member for Lakeshore.

On section 2.

Mr. P. D. Lawlor (Lakeshore): What's all the business about "Any regulation may be general or particular in its application, may be limited as to time and place . . ."? In other words, as in the rest and the subsequent sections here, you take away with your right hand what you gave with your left and then besides that you tie both behind your back, so that no one will be quite sure what you are up to.

In other words, you could pass a regulation —you may make specific designations both with respect to the running of time, when it might run out, whatever the period may be—three days, three months or three years—and then you may zero in on a particular municipality or geographical area and make the imposition regardless. Is there no contradiction in your mind between the devolution to the municipalities of the powers that you are granting here, supposedly, whatever they may be—Lord knows what they are—and the fact that you reserve to yourself this plenary power of cancelling out and overriding them?

Mr. J. A. Taylor: Mr. Chairman, surely—I am sorry.

Hon. W. Newman: Well, in connection with that, Mr. Chairman, I think the idea behind "may exclude any place" was to exclude any municipality which now has a bylaw passed under the Ontario Municipal Act at this point in time and wishes to keep it.

Mr. Chairman: The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor: Mr. Chairman, should there not be a provision for certain types of undertakings that may offend on occasion provisions of, say, an anti-noise bylaw, there are certain industries that may have to generate noise which would otherwise be unacceptable, and it's possible that they would be unable to operate unless their noise level was tolerated? Some people would prohibit the ringing of church bells, I suppose, if you permitted them to. Would this then provide for specific industries or specific undertakings,

whether it be a church or a manufacturing establishment?

I'm talking in terms of place and time. In other words, presumably you might permit certain noise levels within a certain limited period of time and define the place. Is that contemplated?

Hon. W. Newman: As far as municipalities are concerned, we want to allow a certain noise level. For instance, let's use a gravel pit as an example. They must blast and crush within certain hours because of the noise factor. They will be allowed to do so under the municipal bylaws.

As far as church bells are concerned, using that for an example, I think they have certain rights now under certain legislation. I don't know whether it's the Environmental Protection Act, but they are considered as an entity that has always been there. You can't really control church bells, unless they get excessively noisy.

Mr. J. A. Taylor: Is this provision to give the ministry the flexibility to permit this type of thing?

Hon. W. Newman: Yes, that's right.

Mr. Good: Mr. Chairman, I'd like one thing made clear. I don't think protection has anything to do with regulations, has it? What regulations of the Environmental Protection Act have anything to do with the municipal bylaw that is being proposed? I think this is just an amendment to the Act that's thrown in with this bill, is it not?

Hon. W. Newman: Well, partially. It is to allow us to exclude those municipalities that already have bylaws that want to be excluded, and don't want to use this particular section of the Act to enact their new bylaws.

Mr. Good: Am I correct in that it means that any regulations made under the Environmental Protection Act, whether they deal with air pollution, private sewage, litter or anything else, could now be written to exclude any municipality from the application of those regulations? Because what regulations will the minister be making under the Environmental Protection Act dealing with this model bylaw? This is what I'm still concerned with.

Hon. W. Newman: It is possible, I guess, under this section for us to exclude certain areas under the bylaws that may be passed by the municipality. We'd have the right to do that, if we felt something was not quite right.

Mr. Chairman: Section 2 carried?

Mr. Good: This opens up a whole new field here. In other words, the province is now saying to the municipalities: "You pass your bylaws, but we will reserve the right to say which municipality may pass bylaws and which may not, and which parts may be included and which parts may not." Is that right?

Hon. W. Newman: That's right.

Mr. Good: This is what they're doing. Also, the opening up of this little innocent-looking section allows the government to make the whole application of regulations under any section of the Environmental Protection Act applicable only in those areas where it so desires. Now, let's come clean and tell us what it's all about.

Hon. W. Newman: No, no. Basically, we're talking about exemptions under this particular area—exemptions from a new bylaw.

Mr. Good: It says exemptions of any regulation. Read section 95; this is what it used to say in subsection 1: "Any regulation may be general or particular in its application and may be limited as to time or place or both." And now the government is adding that it "may exclude any place from the application of the regulation." These are regulations relating to part VIII of the Act.

Hon. W. Newman: I have to rely on my legal people here, but this section is now in the Act and a change to the word "exclude" is to exclude areas that have bylaws under this Act. That's all it means.

Mr. Chairman: Section 2 carried?

Section 2 agreed to.

On section 3:

Mr. Good: I am not clear on section 3, subsection 3, which says that "Part XXI 21 of the Municipal Act applies to bylaws passed under this section." Now, the way I read part XXI of the Municipal Act is that it deals with penalties that may be imposed by bylaws passed by municipalities. I read that section of the Municipal Act as saying that $300 is the maximum fine that can be levied under a municipal bylaw. Now, am I wrong?

Hon. W. Newman: Yes, you are. Under amendments in 1972, chapter 124, section 17, subsection 1, of section 466 of the said Act is amended by striking out $300 in the third line and inserting in lieu thereof, $1,000.

Mr. Good: Thank you.

Mr. Chairman: Section 3 carried? The hon. member for Lakeshore.

Mr. Lawlor: Well, just again. What is the weight to be given to the reservation power, that is the power reserved in your own hands and subject to your scrutiny and control, in 95(a): "The councils of local municipalities may, subject to the approval of the minister, pass by-laws, . . ."?

In other words you give with one hand and take away with the other. What are your nostrums? Why is that reserve clause shoved in there? What have you got in mind with respect to "subject to your approval"?

Hon. W. Newman: Mr. Chairman, to the hon. member for Lakeshore I would like to say that the whole purpose of putting this in here was not to restrict the municipalities in the passing of their bylaws, but to have some co-ordination where you may have three or four towns, together in an area, which want to pass bylaws and one municipality may pass a certain bylaw and another one may want to pass another bylaw. We want to have some co-ordination on these bylaws that are passed so that when you travel from municipality A to B, there would be some co-ordinating effort set up by the ministry.

But certainly it was not intended to use it as a lever or any other means, except just to keep some co-ordination within the municipal bylaws.

Mr. Lawlor: Another question on subsection 2 with respect to what lawyers call incorporation by reference in a statute. They may pass the bylaw and then in the course of that bylaw make a reference out to any code or standard. I suppose this is where you get your tie-in with your model code or Act, or whatever it will be when it finally sees the light of day, if it is not stillborn in the process, eh?

Mr. Good: Aborted.

Mr. Lawlor: But what good does that do individuals? What is the intention there? If you refer out to some other document, or some engineering institute's standards of measurement, or something, is it the intention that that bylaw will nevertheless incorporate that code as such, so that it will be explicit, ready to hand, immediately available for anyone's scrutiny as to what standards are being applied? To simply refer out like that may put any number of people to an infinity of difficulties trying to establish what the law in that municipality happens to be. What are your thoughts on that?

Hon. W. Newman: As to the bylaw that is passed by a municipality, certainly as far as we are concerned the model bylaw which will be sent out to the municipalities will be open for a great deal of discussion with the municipalities before any finalization is made. We would want to have our technical experts work with the municipality on setting up their bylaw.

Mr. Lawlor: So that it embodies all the terms and conditions and people know what the law is? Of course, you realize that subsection 2 has no necessary reference to any model bylaw, or code, or anything else? I mean, they may under that section make any reference they please to whatever they please in the civilized world, and I suppose parts of the primitive world as well. It is not confined.

Hon. W. Newman: May I say this: Part of the purpose of section 3(2) is to adopt scientific standards which may change from time to time as published by the ministry, or, for instance, the Canadian Standards Association.

Mr. Lawlor: You should really have a phrase in there if it is going to be efficacious. How do you know they won't refer to Scientific American or something—a back issue of some year? You should have a clause to suit standards, or scientific procedures, or what not, as approved by the ministry again, shouldn't you?

Hon. W. Newman: That's quite true, we say that up above "subject to ministerial approval."

Mr. Chairman: The member for Prince Edward-Lennox.

Mr. J. A. Taylor: This particular clause does trouble me, because I have seen in the past where this type of thing has been included in a bylaw by reference, and certainly the material isn't available with that bylaw for the public to scrutinize. Not only that, I think the comment of the member for—

Mr. Lawlor: Lakeshore.

Mr. J. A. Taylor: —insofar as the fact is that it may be a code or reference applicable in any part of the world—I would say civilized or otherwise; it could be adopted by reference. It could be American standards, or anybody else's standards that we may not have here. Surely there should be something in the legislation which would dictate that

the material to be adopted would be something specified in the regulations so that at least you could have a knowledge of what the municipalities intend to adopt—because this is a very, very wide provision in any bylaw, and I don't know what the ultimate result could be.

Hon. W. Newman: Mr. Chairman, may I say to the hon. member that we realize that this is somewhat open here but, by the same token, it's subject to ministerial approval. We wouldn't allow anything to be included in there that was not within the framework of the Ministry of the Environment at present.

Mr. J. A. Taylor: I appreciate the ministerial approval, but you get into a different argument when you're talking about ministerial approvals than you do when you're giving a municipality these broad powers. Because if you give a municipality the broad powers that are enunciated within the section, then you can't turn to the municipality and say, "We don't want you to exercise those powers" and then arbitrarily refuse to approve the bylaw.

If you reserve unto yourself the veto power in terms of approval which you've indicated is for purposes of uniformity in terms of these municipal bylaws, then I don't think that provision should be used to restrict the powers that are given under the legislation to the municipalities. That power is a very wide power indeed—a power that can give a municipality by reference the right to incorporate laws of other jurisdictions.

I have the concern in principle that we should give municipalities that power to exercise, through adoption or reference, laws that are in other lands. It goes that far, notwithstanding the fact that you do have a veto power in terms of exercising a ministerial discretion as to whether or not the bylaw, in fact, should be approved. I do think that it's not a principle that should be enshrined in this legislation.

Hon. W. Newman: Mr. Chairman, all I can say is that we would not be approving any bylaw unless we were satisfied it came within the various codes of this province.

Mr. Lawlor: That is not the end of it however. I mean the fact is, why don't you say so? Why doesn't the clause read that they may incorporate by reference whatever portions of the submitted model bylaw that they find relevant to their particular needs, and not extend this to encompass all possible codes, ordinances, norms, standards with respect to noise pollution control which may exist anywhere in the universe? That's not what you want. That's not what you said you want.

If you give a municipality that power some bright engineer in some municipality just might know that Philadelphia has a particular decibel count and the way of governing it is quite quintessential, different from anybody else's, "so let's get that into our bylaw." Sure it comes upstairs to you, but aren't you creating unnecessary resentment then that you're going to knock that out and say: "Oh no, we don't want to make that reference out. What we meant is, here is our model bylaw and we meant you to adopt whatever portions of it you saw fit, rather than roam around and literature the subject almost indefinitely"?

The point made by the member for Prince Edward-Lennox seems to me would ad idem on that particular thing. It's cast too wide, unnecessarily for your own purposes. You are inviting unnecessary difficulties. You are inviting the municipalities to draw up their bylaw the way they see fit, and then you are going to strike out the clauses which you find you don't quite like.

Mr. J. A. Taylor: Mr. Chairman, I would think the ministry would be put to considerable trouble and work in analysing and reviewing the standards and criteria procedures that might emanate from other countries, whether it be the USSR or the Scandinavian countries or the USA. They would certainly have to review this material in order to know whether or not it is something that should be approved. Surely the criteria should be something that is from this jurisdiction, not from other jurisdictions.

Hon. W. Newman: Mr. Chairman, we would strongly recommend that the code and standards prepared or approved by the ministry be the ones adopted. I think another one of the important points is that the standard to be available to be read in Ontario be written in positive and forcible terms in Ontario.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, has the minister made it clear yet whether the model bylaw contains minimum standards that the municipalities are not to reduce?

Hon. W. Newman: Mr. Chairman, as far as the model bylaw is concerned the intention is to send the municipalities a full bylaw—the ultimate bylaw, so to speak.

Mr. Burr: All right, the regulations—

Hon. W. Newman: Then they can work back with us, depending on the municipalities. You are asking are there some basic minimum requirements? We are not saying there are basic minimum requirements that they must have in their bylaw, but their bylaw would be hardly worth their while passing unless there are certain basic requirements in it, the basic requirements of some of the noise levels involved.

Section 3 agreed to.

Mr. Chairman: The hon. member for Lakeshore on section 4.

On section 4:

Mr. Lawlor: Section 4 has to do with the conflict between the Act on the one side and the enacting bylaws. The actual provisions of the Act are going to prevail over the bylaw. But then there is going to be an exception with respect to 95(a). In other words 95(a) when enacted as a bylaw by a municipality will be in effect and will be the governing law. If there should be a conflict between that and the statute itself, the Environment Protection Act, then the local bylaw will prevail. Is that what I am to understand?

Hon. W. Newman: I'm sorry, I think you have that in reverse.

Mr. Lawlor: In reverse?

Hon. W. Newman: Right.

Mr. Lawlor: I should know better, shouldn't I? You are the big guns up there. They pass a little local bylaw and it goes through the travail. It's like a gatling gun of criticism. Inside the ministry you finally give your imprimatur. You throw a little baptismal water on the brows, so to speak. Out it goes, and it is in full fledge. Then you get the court to find that there's a clause in the Environmental Protection Act inadvertently brought to this House by the minister some afternoon. Then the bylaw of the municipality has no worth and is out of court. It's pretty hopeless stuff you've got here.

Hon. W. Newman: Mr. Chairman: I would just like to point out, of course, if there is a conflict then the Environmental Protection Act shall stand. This Act refers to any other Act, a private Act as well, that has been authorized by bylaws.

Mr. Lawlor: You give them something and then you really scuttle them.

Mr. Chairman: Section 4?. The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor: Then, as you know and have expressed, there are many municipalities which have struggled under the provisions of the Municipal Act in terms of passing an anti-noise bylaw. They have paraded now and then to the Legislature for special legislation validating their municipal bylaws. Are you saying now that this legislation will adversely affect those bylaws that have been validated by an Act of this Legislature?

Hon. W. Newman: No, what I'm saying is that it continues in force any legislation or bylaws that have been passed now under the Municipal Act or private Acts. It does not stop them from passing a bylaw under this legislation, which in many cases might give a little more power to enforce their legislation. But anything that is in force now under the Municipal Act or a private bill remains in force.

Mr. J. A. Taylor: I would surmise that if the municipalities had had this legislation, in many cases they would not have had to come to the Legislature for special legislation validating their bylaws.

Hon. W. Newman: That's correct.

Mr. J. A. Taylor: I think that's a great thing. That's why we are all supporting this legislation, with the exception, I suppose, of some of the more retrograde members.

Mr. F. Young (Yorkview): What do you mean? You always called us radicals.

Mr. J. A. Taylor: Well, reactionary radicals, I should say.

Mr. Lawlor: Oh, I see.

Mr. Young: That's a new phrase.

Mr. J. A. Taylor: In any event, what did concern me was the comment of the minister—

Mr. Lawlor: I thought for a few moments we knew where we stood in this legislation.

Mr. J. A. Taylor: —that the provisions of this Act would prevail as in other legislation; that is, where there is any conflict between the provisions of this Act and any other private or public Act, the provisions of this Act prevail. I presume that still is the overriding principle in this bill, which is taken care of in section 4. Is that correct?

Hon. W. Newman: Yes, that's correct.

Sections 4 to 6, inclusive, agreed to.

Bill 190 reported.

Mr. Lawlor: Quoth the raven, "never more."

Hon. W. Newman moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

MUNICIPAL UNCONDITIONAL GRANTS ACT

Mr. Beckett, on behalf of Mr. McKeough, moves second reading of Bill 192, An Act to amend the Municipal Unconditional Grants Act, 1974.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. This bill deals with amendments to the Municipal Unconditional Grants Act, passed last year, whch repealed all the other unconditional grants Acts and amendments before it.

On first looking at this bill, I thought that there should have been a little better explanation as to the purpose of these amounts. For instance, a very large sum of money—$173,000—is going to the regional municipality of Sudbury, and $57,000 is going to the town of Kenora.

I presume the Kenora money relates to the police costs that were required in the unpleasantness they had up there last summer when the Indian group took over the park. I think there were hints there would be provincial money coming to help with that particular cost.

The grant to the region of Sudbury, through the Municipal Unconditional Grants Act, was a little unusual to me at first glance. I wondered what authority could be had for that, but I noticed there is a clause in section 3 of the Municipal Unconditional Grants Act which allows grants made under that section to be made to other municipalities, including a metropolitan or regional municipality, where the grant being made by the minister, at his own discretion, is as a result of a change in legislation or an unforeseen commitment imposed on a municipality, such as the imposition of regional government requiring additional sums of money. I understand this particular grant to Sudbury is in relation to their official plan.

I would like to say, Mr. Speaker, that in my view the whole matter of grants to the new regional governments, has been very badly handled. One particular region gets so much, while the next region, if it hollers a little louder and has a few more needs, gets another amount. And we have provisions in the Municipal Unconditional Grants Act and the Regional Municipal Grants Act which allow a great deal of ministerial discretion and leeway to apply and provide whatever sums of money he or she sees fit to tide them over that particular purpose.

We have here, I suppose, somewhat of a duplication of what happened in the last election year when the then Minister of Municipal Affairs took his $1.5 million and trotted off to the various regions around the province to quell the uprising in the Niagara region, give another $500,000 to York and another $250,000 to Muskoka, so that the people would settle down and not have so many financial worries in an election year—especially those people in the regions.

We in Waterloo took a real shafting on our start up grants. We had only 24 per cent of the proposed $1.8 million required for startup costs. And why our name isn't in this list of grants, I don't know, but it seems that the startup grants that are paid to the regions depend on the amount of money available, I suppose, and on the whims of the Treasurer at the time as to how much you are going to get.

I think that there should be a pretty fair explanation coming forth here as to why the regional municipality of Sudbury is getting $173,000 for planning studies to help towards the official plan—and remember, every regional bill we have ever passed requires that a regional official plan be created within the next three-year period. I don't see anything there.

However, there is in this bill grants to small municipalities—Wiarton, Amabel township, Habermehl and Lion's Head up in Bruce county. There is no designation as to what these are for—planning studies or extra costs for child welfare. The explanatory note says that is what they are for, but it would be interesting if the parliamentary assistant could give us a little bit of detail as to why these amounts were required, how much was asked for, how these amounts were decided upon and just what the basis is.

When the government starts handing out money in a discretionary manner to various municipalities across the province without proper explanation being given, one starts to think in some pretty strong terms as to

what the reasoning behind it could be. I hope the minister's parliamentary assistant has some knowledge of this and will tell us what these grants are used for.

I think the municipalities certainly need additional sums, but we can't just apply them holus-bolus, wherever the need arises, at the discretion of the minister. I don't think this ministerial discretion in grants is good. I think it should be done on a formula basis, and there should be public knowledge and explanation given of why these municipalities require it.

Now, of all these municipalities listed here, I gathered what the Kenora grant was for; I asked what the Sudbury grant was for; but there is no way one could ascertain what the other moneys were to be provided for.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I just want to back up what has already been said. The reason this bill has to be brought forward is because at the time of the setting up regional governments, this Legislature refused to undergird the municipalities with the proper financial base. It's just as simple as that.

As the member for Waterloo North has said, from time to time we have indulged in ad hockery in paying this bill and that bill, and granting something here and something there for projects that have had to be undertaken. If we had done what should have been done in the beginning, these amounts would have been met out of the adequate revenue of the regional governments concerned.

This side of the House did outline to the government at the time the early regional governments were set up what we called the municipal foundation plan. Lest you fear, Mr. Speaker, I am not going to outline it here this afternoon; it's already on record—several times, as a matter of fact. I am not going to try to outline it, but it did provide for the kind of fiscal autonomy that municipalities of this kind need and eventually must have. Certainly the various ministers over there who have been responsible for municipal government since that time have been nibbling at the plan a bit.

It was adopted in large measure as far as the Minister of Education is concerned, but so far we haven't been willing to face up to the fact that when we establish municipal governments we also must undergird them with a financial base which will allow them to meet their obligations without having to run to the provincial government at regular intervals for this grant and that grant to undertake the kind of things which are not only necessary but which are demanded by the senior level of government.

So, while we are not going to oppose this bill and we will vote for it because I think these amounts are needed by the municipalities concerned and they should have been there long ago, we simply want to register our protest that this government is bungling financially in setting up the regional governments. I hope that they learn from experience and in the future when new regional governments are set up, whether it's that government or another government, we will face this responsibility clearly and we will provide the financial base that regional governments ought to have.

Mr. Speaker: Does any other hon. member wish to speak to this? The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Speaker. The grants are set out here in two columns, one for the year 1975, the other one for next year, 1976. That in itself is interesting. There is no explanation vouchsafed to this body as to what any of the sums mean. We are told in the frontispiece that there are three distinct and separate areas to which these grants may be allocated, and I suppose any one grant may have three sorts of division written into it.

Let's say the town of Sioux Lookout—$14,850—might have all three written in. The first area has to do with special planning staffs and the second area has to do with liabilities that are incurred under the Child Welfare Act. I would like to hear a little bit more about those liabilities, what precisely they are, or if they are different in different localities what are the differences?

Finally, I refer to the town of Kenora situation involving the Indians in the park, and the poor handling and the disgruntlement within the Ministry of Social and Family Services fighting the Attorney General's department quietly, inside that bubble over there, as to how that whole thing should be managed. In any event, they are now asking for $57,000 to remedy these expenses.

What I would like to have and I think what this party would like to have—and we will be asking for it in committee of the whole House—is a breakdown, individually and collectively, of all these figures, as to what money is to be given to whom for what in the various areas; and in this principle reading I would like a justification with

respect to both the Kenora situation and the Child Welfare Act.

Mr. Speaker: Do any other hon. members wish to speak to this? The member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Mr. Speaker, I certainly commend the action of the government insofar as transferring these funds to the local municipalities. I don't know whether this bill will be going to committee of the whole House or not—

An hon. member: It will.

Mr. J. A. Taylor: —but if it is, then I could probably ask my questions there. I'm particularly concerned as to whether there may be some typographical error. I notice that Prince Edward county is not mentioned in here—

Mr. Lawlor: Oh, I see.

Mr. J. A. Taylor: —after spending considerable moneys which parallel the expenditures of the county of Hastings. I have exerted my weight in that application and I was just wondering if there was some omission.

Mr. Lawlor: There you are, you see? They don't pay any attention to the member.

An hon. member: Exerted his weight?

Mr. J. A. Taylor: Yes, the full force of my weight.

Mr. Lawlor: They pay less attention to him than they do to the member for Grey-Bruce (Mr. Sargent).

Mr. Speaker: The member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I think that in all fairness it would have been advisable for the minister to get up and state the reason for these funds.

I am well aware of the need for funds by the town of Kenora, having specifically to do with the problem in Anicinabe Park last year. It is unfortunate that a situation should have arisen whereby it was necessary to involve the police forces in such large numbers as to have incurred an extraordinary expenditure in the neighbourhood of $57,000. It was a situation I don't think had anything to do with any initiatives taken locally by the town council or any small group of people within the town of Kenora. It was a situation that had degenerated over a long period of time, due to a misunderstanding between the native groups involved and the handling and administration of land by the federal Department of Indian and Northern Affairs.

While we realize that we have to come to the assistance of communities which find themselves in such situations, I find it rather interesting to find that the town of Sioux Lookout got financing to the extent of $14,850. I think it would have expedited matters if the member had got up and explained the reason for this transfer of funds. If we agreed with it in principle, we could have stated so, but we're not in a position to say whether we agree or disagree until we find out the reason for the—

Mr. Good: We're trying to teach them that.

Mr. Stokes: —extra grants and whether or not, in our opinion as members coming from the north, they were justified. So it's not possible for me at this time to state whether or not I'm in agreement or disagreement with them.

In the case of Sioux Lookout, I would like some clarification as to the nature of those funds, how they were expended and why it was necessary to give an unconditional grant in that amount. I would like that kind of information from the parliamentary assistant.

Mr. Speaker: Any other hon. members to speak to this? If not, the hon. parliamentary assistant.

Mr. R. B. Beckett (Brantford): Mr. Speaker, in an attempt to answer some of the questions raised by the various members, and to deal first of all with the questions of the hon. member for Waterloo North who questioned the amount to the regional municipality of Sudbury, this is a two-year programme for an official plan—$100,000 in 1974 and $73,000 in 1975. This is an agreement; this is the 50 per cent share.

With regard to the questions about Kenora and the amount of $57,000; $21,000 is for an agreement for the official plan, and $36,000 is the reimbursement of municipal costs.

An hon. member: What kind of municipal costs?

Mr. T. P. Reid (Rainy River): Is that for the policing last summer in Anicinabe Park?

Mr. Beckett: I would hope to be able to answer that a little more fully in reply to the hon. member for—

Mr. R. S. Smith (Nipissing): Why not go through them all and say what they are?

Mr. Beckett: I'm going to go through them all now.

Mr. R. S. Smith: Okay.

Mr. Beckett: The next question was regarding the Children's Aid Society. The last two items—improvement district of Beardmore for $4,969 and the county of Prescott and Russell $1,058 – those were to the Children's Aid Society for unexpected expenditures in operation of the Children's Aid Society facilities in those areas.

Another question was in reference to regional governments and insufficiency of the grants. These are not startup grants in any way, shape or form. These are grants for official plans.

With regard to Sudbury, this is a four-year commitment for assistance to the official plan. The municipality will be paying 50 per cent of the cost, and this is the province's share.

The member for Yorkview, I think, asked questions similar to those of the member for Waterloo North; the member for Lakeshore wanted a breakdown with regard to Kenora. I mentioned previously the $21,000 and $36,000. A question was asked as to what these municipal costs are: Police and public works overtime, $26,000; materials for repairs, $1,300; miscellaneous, including meals, $5,692; estimate for repainting buildings, $3,000; for a total of $36,338.27.

The member for Prince Edward Island—Prince Edward-Lennox, rather – asked about the question of the moneys—

Mr. R. F. Ruston (Essex-Kent): Moved, eh?

Mr. Stokes: He just seems far away, seems kind of detached; Prince Edward-Lennox.

Mr. Beckett: Prince Edward-Lennox, I apologize.

That is strictly for an official plan for the area of his neighbour that he was inquiring about.

The member for Thunder Bay was asking about the costs; I think I have covered those with a breakdown. I would be pleased to try and answer anything further on that.

With regard to Sioux Lookout, the $14,000 is strictly the cost for the official plan, the 50 per cent from the province.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Committee of the whole House?

Agreed.

DISTRICT MUNICIPALITY OF MUSKOKA ACT

Mr. Beckett, on behalf of Hon. Mr. McKeough, moves second reading of Bill 193, An Act to amend the District Municipality of Muskoka Act.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Thank you, Mr. Speaker. It has been general practice that the region has to be the body responsible for the creation and adoption of official plans, and I presume there must have been some ambiguity in the Muskoka Act in that the area governments wanted to have a hand in the official plan.

Unfortunately, in a two-tier system it has been my observation that a considerable amount of tension exists between the top tier and the lower tier government when it comes to the planning concepts. The region, of course, has the authority and the power, but everything they do does affect the local level very considerably. This, I presume, is to clarify the fact that while the area government still has certain powers under the Planning Act, the official plan has got to be a product of the region; but at the same time, Mr. Speaker, it should be a plan with which the area governments can live and into which they will have some input.

Mr. Speaker: The member for Yorkview.

Mr. Young: Mr. Speaker, we have no objection to this bill. I presume that while the responsibility for planning is ultimately vested in the regional government the area governments would also have some input and that they make suggestions and perform other functions in detail. If that is the case then I think we'd support the bill.

Mr. Speaker: Any other hon. members wish to speak to this? If not, the hon. parliamentary assistant.

Mr. Beckett: Mr. Speaker, the questions raised by the members for Waterloo North and Yorkview are both right on. This has been requested by the district. The areas will have the ability to make sure they have their full input into the district—not the region, because this is known as a district.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading.

Agreed.

COUNTY OF OXFORD ACT

Mr. Beckett on behalf of Hon. Mr. McKeough, moves second reading of Bill 194, An Act to amend the County of Oxford Act, 1974.

Mr. Speaker: The member for Waterloo North.

Mr. Good: This bill, Mr. Speaker, is a great opportunity, once again, to bring before a member of government—and I'm sorry there are no cabinet ministers here—the problem which has existed since the first regional government was established in this province, namely that no one seems to know quite what to do with existing public utilities commissions. This bill allows the trustees of the police villages in the county of Oxford, or the region of Oxford which it actually is, to continue in their capacity as public utilities officers and commissioners to run the Hydro operation.

Mr. J. R. Breithaupt (Kitchener): They didn't know they could, possibly?

Mr. Good: Every bill that has been brought before this Legislature has sidestepped the issue as to what's going to happen to public utilities commissioners and who is going to run hydro. They all usually state that the existing commissioners will continue to operate until such time as the minister designates, with the result that in some municipalities—in fact in all municipalities—there have been no elections for public utilities commissioners. They will not allow the public utilities commissioners of any particular area or village to take in the customers which were given to them on the new boundaries that were created; in this case the county of Oxford, or the region. The same problem has existed ever since the first regional governments came in.

The situation is so ridiculous, Mr. Speaker, that the Waterloo region bill allows the former mayors to still retain their seats on the public utilities commission, although two of them were defeated in the last election.

It's almost unbelievable that this problem hasn't been tackled. It has been studied. There having been task forces. They've been reporting to the now Treasurer (Mr. McKeough), the former Minister of Energy. Everybody wants to do something about it, but nobody has done anything up until now.

Once again, we have to have amendments to the Oxford bill now so that there is someone to carry on the hydro. What's going to happen to the public utilities commissions? Are they going to be operating on an area government basis, a regional or a county basis in this particular Oxford situation? Why doesn't somebody grapple with this problem and come up with a solution and stop having to have all these amendments brought in on every bill, every year? It's stupid.

Mr. Speaker: The member for Yorkview.

Mr. Young: Mr. Speaker, I suppose this is an interim measure in any case. We have to bring some order into this kind of a situation. It's too bad we have to deal with these things, as the previous speaker has said, in this particular piecemeal fashion. Since the problem is there and this may carry it over for a period of time until we get better regional organization, all right, we'll go along with it.

Mr. Speaker: Are there any other comments on this? The member for Kitchener.

Mr. Breithaupt: I have one brief comment, Mr. Speaker, and that is to note that in this situation we had dealt with three of the police villages within the county of Oxford in amendments before Christmas. It would appear that suddenly people in the ministry found out that in fact there were three other police villages that had gone astray. One would have thought that any county or region would know the number of municipalities that were in it and might have brought this to someone's attention earlier.

Mr. Good: How come the government didn't notice that?

Mr. Breithaupt: However, I suppose we're only correcting a situation that, hopefully, was inadvertent. We have, however, found three more police villages and I'm sure they're all quite pleased to be brought into this statute.

As my colleague from Waterloo North has said, we are under a particularly interesting situation in Waterloo region where three former mayors of Waterloo, Kitchener and Cambridge remain on hydro commissions because the cabinet and the minister in charge have not grappled with this whole problem of the approach that should be taken as to whether these commissions should be elected; whether they should form part of regional government at a lower or upper tier, or whether in fact they should simply continue at the sufferance of the minister.

I was pleased at the response that the Premier (Mr. Davis) made to a question which I asked last week when he said we would be

seeing some new guidelines, because in the constituency which he represents there are problems in this exact same circumstance as a result of regional government.

We are sorry this approach has to continue and we do hope the ministry will come to grips with this problem in the future.

Mr. Speaker: Any further comments before the hon. parliamentary assistant replies? The hon. parliamentary assistant.

Mr. Beckett: Mr. Speaker, the hon. member for Waterloo North raised some very interesting questions, and I think the hon. members for Yorkview and Kitchener did as well.

I think the simplest way I can explain this is that these are three more police villages that were not included in the original legislation. The policy that they are referring to, or the lack of policy, I believe is the subject of a study now. There is a committee under the Ministry of Energy which has been working on this, and I believe there is a policy decision that will be coming before long.

But as far as this particular situation here is concerned, it is my understanding that we can thank the member for Oxford (Mr. Parrott) for bringing to our attention that there were three police villages ignored in the previous legislation.

Mr. Young: Mr. Speaker, can I ask the minister, or his assistant, is it his plan to leave police villages in the region?

Mr. Good: Just for hydro purposes.

Mr. Beckett: Mr. Speaker, for hydro purposes only.

Mr. Young: Won't the ministry eventually phase them out?

Mr. Beckett: Yes.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 193, An Act to amend the District Municipality of Muskoka Act.

Bill 194, An Act to amend the County of Oxford Act.

Hon. Mr. Winkler, in the absence of Hon. Mr. Meen, moves third reading of Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Just one word. I will preserve the minister from further harm and just say we spent a lot of time in committee on this particular bill, it became infinitely intricate, and the new sections that were added on the last day would knock your left eye out. I'll let it go at that.

THIRD READINGS
(concluded)

Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Bill 176, An Act to provide for Conservation, Protection and Preservation of the Heritage of Ontario.

Clerk of the House: The fifth order, House in committee of the whole.

It being 6 o'clock, p.m., the House took recess.

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No. 171



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Monday, February 3, 1975

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

MUNICIPAL UNCONDITIONAL GRANTS ACT

House in committee on Bill 192, An Act to amend the Municipal Unconditional Grants Act, 1974.

Mr. Chairman: When the committee rose at 6 o'clock, we were about to consider Bill 192. Are there any comments, questions or amendments to any section of the bill?

Mr. P. D. Lawlor (Lakeshore): I raised on second reading—

Mr. Chairman: The hon. member for Lakeshore. What section?

Mr. Lawlor: All sections. Cross sections. Number 2, Mr. Chairman. Basically, section 1, Mr. Chairman, is tied in to two sets of schedules here with a special column 3, in which the township of Burleigh and Anstruther, for instance, is getting $1,434.

I want to make it clear, by the way, for the record, that no one in this party, or I suppose in this House, is really objecting to any of the sums of money. The only problem is that we are under some responsibility to know what they are about.

As far as I'm concerned, I would think that we could foreshorten this particular debate if the minister were prepared to break down those figures and let us who are interested in the breakdown have it on some subsequent occasion. We are not going to win this battle tonight. If the worst comes to the worst, the House leader will get up on his hind legs and call the whole House back in—not just the two or three of us who, as the Lord said, "was silently gathered together."

Mr. F. Young (Yorkview): Silently?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): It will never be silent as long as the member for Lakeshore is here.

Mr. Lawlor: You have to do something to stay awake.

I wonder if the minister is prepared to give the kind of breakdown on the three areas that have been set out, namely the business of the Child Welfare Act sums. Nor did the minister tell us in reply, or at least I didn't hear him, precisely what area of child welfare has made this added budget requisite in the situation.

I think we all know about the Kenora situation, and the division of moneys as between the other two—namely the special planning moneys that were necessary in some of these areas, and the child one. So before I sit down, first of all tell us about the child welfare situation; secondly, is it possible, rather than to take you over these items one by one and ask you to break them down—and it could take a considerable time to go over that—for you to be prepared to let us have a breakdown in, let's call it the fullness of time, say by midnight tonight?

Mr. Chairman: The hon. parliamentary assistant.

Mr. R. B. Beckett (Brantford): Mr. Chairman, I think the points raised by the member for Lakeshore are well taken. I would like to give my personal commitment that I won't bring something like this in again without further detail. Also, in my opening remarks I will attempt to give more. I think I can only plead my inexperience on this. If I may, I would like to indicate—

Mr. Lawlor: You are one of the few honest Tories in the House. You are remarkable.

Mr. Beckett: There are many of them, sir.

Mr. Lawlor: No one has ever said that before—anyway to my knowledge.

Mr. Beckett: I am going to confuse you further, I'm sure, because I gave you wrong information regarding Sudbury. I said it was two years. It's for a three-year period, 1973-1974-1975. This is an agreement that was made between the municipality, its planning board and the actual people who are doing the official plan. These are exact costs of each one of these official plans with the exception of the last two items which were

the Children's Aid Society's—that's the improvement district of Beardmore, and the counties of Prescott and Russell. The information I was given was that these were unexpected costs to the Children's Aid Society for the care of children who suddenly were forced upon them for some reason that they did not anticipate.

Mr. Lawlor: Prescott and Russell; that's $1,000.

Mr. Beckett: Yes, sir. The last two items—improvement district of Beardmore for $4,969, and the counties of Prescott and Russell. All I can presume is that when the municipalities consulted with the Children's Aid Society, which presents its budget to them in the normal spring procedures, they estimated what their costs were going to be with regard to the care of children, custody of the society—and obviously they were under. This is the way it has been decided is the best way to make sure the municipality is reimbursed for costs for which it can't exactly be charged.

Mr. Lawlor: Let me then just take one moment of your time. Take the county of Hastings; the $24,700 is a fairly large item. That must be there, in that situation, wholly in terms of special planning studies.

Mr. Beckett: No, sir. The grants, originally, if you remember, were conditional; and they became "deconditionalized." These were agreements that were made in order to assist the municipalities with them, because we had made a previous commitment to them. This is what these moneys are for.

Mr. Lawlor: Another question: The township of Harvey—why is it split into two sections? Why has it taken the sum of close to $2,500 just for next year, the 1976 year?

Mr. Beckett: The information I have received is that this is the way that the agreement was made between the municipality and the consultants doing the official plan. This is the estimate for producing the whole work. The $4,995.60 would be charged against 1975 and the $2,497.80 will be against work to be committed in 1976.

Mr. Chairman: Are there any further questions, comments or amendments to any section of the bill?

Bill 192 reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 192, An Act to amend the Municipal Unconditional Grants Act, 1974.

HIGHWAY TRAFFIC ACT

Hon. Mr. Rhodes moves second reading of Bill 177, An Act to amend the Highway Traffic Act.

Mr. Speaker: The member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Yes, Mr. Speaker, this bill, as we know, has some rather important legislation in it; some other not quite so important, I would suppose.

Not being a lawyer, I get confused every so often on rulings and so forth; the difference between the Criminal Code and the right of the province to issue the licences. This has been in and out of the courts, I think, for the last few years. From what I can gather from this bill, it actually gives the province the power to prohibit anyone from driving when they have once been convicted of impaired driving or a similar offence, and does not allow a restricted licence. In some cases we have seen judges who have allowed people to drive on a to-work basis, or what we call a restricted licence.

I suppose that it had some merit; because if a person goes out some night in his car with too much to drink and is charged with impaired driving, his method of livelihood, is gone for three months. That is, of course, if he is a truck driver or someone who has to depend on driving for his living.

We must make safety a prime factor on our highways. With the high statistics of impaired driving or people drinking and driving as far as accidents and the death rate on the highway go, one must of course consider these firstly. But I really do think there is some merit on a first offence, where a person's living depends on driving, that there should be some way that a person could be allowed to drive. I know that there's another approach —and someone, probably among the legal

people, will bring this up—which is the complete absolution of a person after he has been charged. I have read of one or two cases of that happening.

As I say, Mr. Speaker, we will support the bill wholeheartedly. There are a couple of things that maybe the minister in his reply can explain to me on the particular point, as far as any possibility of a restricted licence for those whose living depends on it, having in mind that the province has the right to issue a driver's licence and our federal government doesn't have jurisdiction here, except under certain applications of penalties under the Criminal Code.

As for the flashing lights on buses and stopping at all speeds, as it was before, in the case of anyone driving a bus at 40 mph or over a motorist was obligated to stop at the flashing lights. In a 35 mph zone or under he was not obligated to stop while the bus stopped to pick up children. It has been brought up a number of times by different groups and different organizations that there were real problems there, and even in our own area we had them in the township of Sandwich south. There were a number of people who had a problem where a bus was in a 35-mph zone and there were no sidewalks or anything and no place for the people to get off and wait even on the side of the road. Yet the traffic wasn't obligated to stop. It brought on a real problem, so we appreciate the minister bringing in this legislation.

I suppose, though, that there is always someone who will object! I understand that when this resolution went through county council in Essex, there were about seven or eight of the 41 members who objected to it, if my information is correct. I guess they were figuring that it would hold up traffic too much. My understanding of the Act is that the driver must use his own discretion. If there is a sidewalk where he stops to allow the children off, then he doesn't necessarily have to put on his flashing lights. It was my understanding that if it was in a 30-mph zone in downtown traffic, that might be one of the alternatives.

I think the colour is in here too, isn't it?

An hon. member: The colour of the buses.

Mr. Ruston: The colour of the buses.

Mr. B. Newman (Windsor-Walkerville): That is the Boretski amendment.

Mr. Ruston: We had a sad situation in our own county but that's been brought up by a number of people. I imagine the member for Huron (Mr. Riddell) will be speaking on that, Mr. Speaker, so I will stop my remarks at that and some other members will follow up a little later on.

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Speaker. As was said, this particular piece of legislation is a very queer melange. May I say that I don't, nor ever have, nor I suppose ever will, wholeheartedly, as the hon. member just said, adopt it. There is a curious twist to the tail with highway traffic legislation. The more coercive, the heavy-handedness of government seems to be constantly present and impose itself. Some kind of delight starts with the concept that, after all, driving is a privilege and from there on whatever we may do to the driver, he deserves it.

However, the privilege may be a necessity, and much havoc in family and personal lives may be wreaked by the implication of all kinds of sections in the present legislation, which drives people to the wall. I'm thinking, of course, of the sections here which are central to this legislation. One can't be too tough about it.

It is a form of alleviation that we're going to have going through here tonight, where a first conviction is made for a range of offences under the Criminal Code: under section 203 of the Criminal Code, that is, criminal negligence causing death; section 204, criminal negligence causing bodily harm; section 219, the manslaughter section in the Criminal Code; section 233, criminal negligence in the operation of a motor vehicle involving, in subsections, failure to stop and, secondly, the perennial clause, which is so difficult for lawyers to construe, called dangerous driving, whatever that is as, say, opposed to criminal negligence on one side and careless driving on the other; section 234 of the Criminal Code, driving while ability is impaired by drugs or alcohol; and section 235 of the Code, the refusal to take a breathalyser test, which brings about, by this simple failure, the same penalty as if one had taken the breathalyser test and had been found wanting.

All these sections then come into effect, and the penalty is meted out—apart from any penalty that the federal government may have imposed by way of fine or imprisonment, the special penalties which constitutionally the province has a right to impose; for a first conviction on any of these matters, three months suspension, and for any subsequent conviction, six months. In the case of driving with ability impaired, a second con-

viction before a crimnal court will automatically involve one in 14 days in jail—no penalty apart from that—then, coming out of jail, this particular penalty of six months is imposed and runs consecutively.

Now, we do need brakes on the various misuses of the privileges of driving under the Criminal Code; there's no question about it. I've always found it a bit questionable, though, that this ministry, even in face of what the judges have seen and what the judges have assessed, hearing the evidence in a courtroom, the pleas being made on behalf of an accused person, the livelihood at stake, will nevertheless aloofly dismiss and cast aside any gestures of mercy, of alleviation, on these counts.

I think, in this law, that while the penalty can be imposed, the minister should repose enough discretion and faith in our own judges —namely, the provincial court judges of this province—so that in a worthwhile case, in a deserving situation, that judge ought to be able to have the final say, and not have the minister's cohort in the ministry applying a rule of thumb across the board which invariably will lose a man his job. Sometimes it's possible for him to get his wife or a friend to drive him to work, but if he's a man who relies for his livelihood, for the making of his bread, by way of driving, in one way or another—as a salesman, as a truck driver, in a whole range of occupations which require and make driving absolutely mandatory if he's going to earn a living at all—the ministry's axe falls.

Wherever an axe falls like a guillotine—I think of the French Revolution—it's too tough. The ministry has done good work, because previously the division, as I understood it, was as between whether or not property damage and personal injuries were inflicted; where automatically, if one had an accident and was convicted of any one of these various offences then he got six months, but if there wasn't personal injury or property damage then he got three months.

Under certain circumstances, at earlier times, one could, if he got the six-month period, ask for alleviation by the minister or his department for certain purposes only, on a restricted licence situation and not for recreational or pleasure driving at all, but simply to get to work and back again within certain time limitations as to the hours you may drive a vehicle, simply to keep your job and not send the family off on to relief or whatever it is that will flow as an almost direct consequence of this fairly Draconian type of law. I don't see anything in this piece of legislation giving either the minister or the judiciary any area of elbow room or any quality of mercy that is not strained or otherwise; there is nothing like that. Why not?

I say to this minister, I have seen other ones sitting over there that I wouldn't even make this kind of appeal to; it would not be worthwhile because they were puppets and tiny mandarins who had their own coercive puritanical morality, and when they had somebody under their thumb they just squeezed.

I don't think this minister is that kind of man. I think he has a completely different approach to these matters; he has a far more rough-and-ready, give-and-take kind of manner about these things. If he can make it more humane, why doesn't he? He can do it without encouraging or seeming to give way to drunken driving or any of the ranges of offences in terms of negligence that are set out in the Criminal Code—and thereby be of very considerable benefit to the community, instead of the iron screw of the law always being brought to bear, and as I say, most peculiarly in the area of highway traffic law.

Apart from those central features of the law, Mr. Speaker, there is a great deal in the legislation about something called a motor-assisted vehicle, which is a bicycle with a motor. All the ingenuity and wisdom of the department has at this time in history lighted upon this strange contraption as worthy of monumental legislation and the amendment of many sections of the Highway Traffic Act in order to encompass it. I say, "Bully for you, boy, that is really a move forward."

Wheelchairs manage to get honourable mention throughout the legislation too, particularly with respect to pedestrian crossings and things like that. I suppose some provision should have been made for that a long time ago, and it is not a matter which we can argue about.

A thing which the ministry has done that is beneficial under the legislation is to have matured just slightly, let's say by a quarter of an hour. That brings them from the age of 13 years, six months, seven hours, etc., by that extra quarter of an hour, to almost 13 years and something.

In other words, what they have done is they have said to the municipalities: "Listen, you pass bylaws on a whole host of matters under the legislation, with respect to one-way streets, slow-moving traffic, the spring weight loads and limits that affect different

municipalities in different ways, also with respect to speed limits. We won't call those into question basically. We are deputizing to you, and you don't have to get our approval for a wide range of these matters."

I suppose that is a basic move to give some kind of recognition and enfranchisement of wider powers to the municipalities of Ontario. But they have a most curious section, a queer section in here, section 31, about which the side note says:

> Where, in the minister's opinion, a municipal bylaw dealing with traffic or the operation of a motor vehicle is inconsistent with the Act and the bylaw prior to the amendment would have required approval of the minister, then the minister may declare the inconsistent portion of the bylaw invalid.

You know, it sounds like the United Nations with the veto power reposed in the Russians or something like that; or like any number of sovereign bodies, such as the ones you never like upstairs at Ottawa, who have the power, if the provinces pass legislation, to veto the legislation or to rule it out as unconstitutional by edict of the federal authorities.

I always thought that the Tory government of this province found that a little irksome and unpalatable, but here it is embodied in the government's own legislation vis-à-vis its own creatures, namely for the municipalities of the province, so that the minister moves in and says that bylaws which are apparently law and which are recognized as such are not law at all after the event. That is a questionable piece of legislation, or at least the wording is, in that particular matter.

There is a good deal in here, all to the good, about the definition of school buses—eight-passenger; certain kinds of markings on the bus; the kind of stop lights that must be used by the buses; the fact that the 35 mph speed limit is not the guiding factor with respect to stopping when behind or approaching school buses. There is a certain havoc on our roads with respect to these buses and to children being injured along the rural roads of the province particularly: if these various features do anything to save life and stop injuries then all to the good.

Just before I finish I go back again to the main point; the cancellation of licences, the suspension of licences and to the periods of time, upon which the minister's legislation dwells, people will be kept off the road as a categorical, unyielding piece of business in this regard. He can't do it on this occasion—if he even was disposed to, but I would ask the minister to give a good deal of thought to some alleviation.

I think any one of us in this House who have been lawyers and have attended cases knows of an instance where a man who has driven for 25 years in perfect safety; who has all kinds of records of good behaviour with his firm; who has a first-class record of driving, goes out with the boys, has a drink and gets picked up.

You know—I make no bones about it—I think that most of us on some occasion, were we unlucky enough, might be the victims there, but for the grace of God. But the grace of God isn't there that night and he ends up in the police station, with a breathalyser and he's finished.

There he is; isn't the penalty great enough, the shame of the situation? Secondly, comes the incarceration; he may have to spend some time that night in the jail. Thirdly, he has to pay a fairly steep fine. He has to pay a wretched lawyer in order to get the fine imposed properly, because otherwise without a lawyer how would he ever get fined properly? Then, having got all these penalties reached, the minister comes out of the clouds like Zeus with his thunderbolt and knocks him out of his job completely.

Now, the minister says they deserve every bit of it. They drank and they were told they can't drink and: "By George, we'll teach them!" Well, I don't think human beings are that way. While I think, by George, a lot of them should be taught and that it acts, as I say, as an inhibition and a brake upon a good many of the citizenry, I just wonder how many people don't drive their motor vehicles because of the threat of the minister's legislation. I dare say a good portion of the population doesn't even know it exists. They learn about it for the first time when the charges are laid.

The penalty at that stage just becomes too rough. The driver loses his job. The minister could easily spoil a whole lifetime over an incident of that kind. I don't say it's a minor incident; I simply say it's a very human incident in which the minister must have some kind of alleviative powers and if he doesn't preserve that in his legislation then it's cruel.

Mr. Speaker: The member for York-Forest Hill.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, there are two sides to that coin and it is my respectful opinion that this law is not coercive enough.

Mr. Lawlor: I should leave the House before the member talks.

Mr. Givens: I don't think the member for Lakeshore should leave the House. I think he should stay here to hear what I have to say, because he was—

Mr. I. Deans (Wentworth): He was talking to me.

Mr. Givens: —waxing eloquent with his mixed metaphors about Draconian kinds of laws, and quoting from the Merchant of Venice about the quality of mercy, and talking about thunderbolts from Zeus and wretched lawyers and about his horrible clients who are locked up in jail because they happen to take a drink and, after 23 years of safety, they're in this terrible box. But the member didn't mention one important factor: What about the poor victim who got killed just before they were arrested? The member didn't mention that.

Mr. Lawlor: He wouldn't be fined for that; he would go to jail.

Mr. Givens: He wouldn't be fined for that. Mr. Speaker, I say this law isn't explicit enough.

Since we are talking about the principle of the law, this gives me an excellent opportunity, since the minister is in the House, to read him a letter which I asked a constituent to write to me and which I was going to send to the minister. With many of the weighty things that the minister has to think about, such as the Metropolitan Toronto transportation plan review and other weighty things of that nature, I would have thought that if I sent him this letter one of his secretaries would probably relegate it to one of his legal officers or one of his lower-echelon, high-priced help—I don't know how low they are, but many of them seem to be very high-priced—and that he would probably never get to read it.

I couldn't have a better opportunity to read him this heart-breaking poignant letter which I want to put on the record and which I want the minister to listen to, which I'm sure he will, because as much as we've had our differences in this chamber, I know what a very sympathetic-hearted person he is.

As a lawyer I've had experiences like my friend from Lakeshore has, the kind of experience where one sits in a magistrate's court and sees a person arraigned and a charge read out where somebody has been killed, particularly a child. But the degree of negligence that has been exercised by the person who is arraigned and who has been charged is not so great that one can make a charge stick under the Criminal Code or even under the Highway Traffic Act. Generally, the person gets off with a slight rap over the knuckles or maybe a $25 fine, and the poor parent whose kid is killed can do nothing about it.

The accused gets off scot free. There is all kinds of sympathy in the world for him while the parents of the child have the rest of their life to grieve in their agony. We talk about this shameful person who committed this thing—and one can't call it a crime. We talk about it being terrible that he may lose his job because his licence is going to be suspended for a period of six months.

I want you to bear with me, Mr. Speaker, as I read this letter from this person called Donald C. MacCharles. It reads as follows, and it is worth listening to:

Dear Mr. Givens:

My 11-year-old daughter was killed by a motorist who was subsequently charged and convicted with careless driving. The evidence showed that had he not been speeding then, he would have been able to stop 10 ft short of hitting her. My daughter is dead and the motorist had a $100 fine levied along with a 30-day driver's licence suspension.

He could not be convicted under the negligent and dangerous driving provisions of the Criminal Code because a wanton and almost premeditated act of behaviour is necessary and this could not be proven beyond a reasonable doubt.

The next appropriate charge was the careless driving one which is treated as little more than a misdemeanour. Given the seriousness of the consequences of the action, it would appear that the law is at fault and that this type of behaviour, while not criminal in origin, is certainly not trivial.

This behaviour falls between two jurisprudence stools with the consequence that the law dealing with traffic casualties, in my opinion, is not giving the social control over these actions that is required in order to reduce the fatalities on our roads.

The civil law of tort would normally provide some measure of correction for this imbalance in the statute involved. But, unfortunately, it too is defective. The provisions of the Highway Fatalities Act read such that the maximum claim permissible is $100 for each year of a child's life, while

alive, plus funeral expenses to a maximum of $800.

The net result is that there is no effective method of controlling much of the dangerous driving on our highways. Drivers should be required to be more cognizant of their social obligations when they undertake to drive a vehicle. This could be accomplished through such methods as a larger range of offences being specified, with stronger punitive measures in the way of long-term licence suspensions, as well as making them subject to larger civil actions. Perhaps then a larger degree of sanity could be brought to traffic control in the province. This is especially important in an age when the automobile has such a pervasive influence, and is used as the major form of transportation in our society.

In order to show the seriousness of this social problem I quote here from recent studies. They show high life loss, and in particular for young children in urban areas. The Financial Post shows in a chart that about 400,000 potential years of life are lost each year through accidents. Potential years of life that are lost through death prior to age 70 in 1971 were 1,683,100 years—13 per cent of them resulted from motor vehicle accidents.

Then there is a quotation from the Globe and Mail which reads as follows: "Ontario road deaths up 1.3 per cent." This quotation is absolutely devastating when you listen to it:

> A total of 1,959 died in Ontario highway accidents in 1973, up 1.3 per cent from 1972, the Ontario Safety League, quoting government statistics, announced yesterday. The league says the growing popularity of bicycles and motorcycles is reflected in the figures.
>
> Sixty-nine bicycle riders were killed in 1973, seven more than in 1972. More than half were under 15. Eighty-four motorcycle riders died compared with 66 in 1972, an increase of 27 per cent.
>
> Apart from deaths, the league notes that impaired driving increased in all age groups but particularly among people 20 to 24. A total of 1,613 impaired drivers in that group were involved in collisions in 1973, compared with 1,260 in 1972. There have been 94 traffic deaths in Metro this year.

Then he quotes from a CIBC booklet about accidents.

> The following chart illustrates the number of children's deaths as a percentage of total deaths from the causes shown. Forty per cent of traffic deaths are children under 14 years of age.

Forty per cent of traffic deaths are children under 14 years of age!

Therefore what I am proposing is two specific statute changes to help bring the law up to date with our current social reality. The first is to broaden the range of specified driving behaviour offences with long-term licence suspensions. The second is to review the Highway Traffic Fatalities Act so that people can be made responsible for the consequences of their actions through the law of tort.

It is worth mentioning that at the moment the law is more concerned with protecting the rights of the accused rather than the rights of those who have died or are left behind to suffer the loss. In point of fact, in my case, the judge felt that the young man being accused would suffer the consequences of the death for the rest of his life and therefore awarded a minimum punishment.

In fact it is my wife and I who will bear this loss. Especially since the subsequent actions of the driver indicate that he feels no responsibility. Not only did he tell me that he felt he had done nothing wrong, but he has subsequently been fined for speeding through the same intersection in which he killed my daughter. When the police apprehended him his comment was, "Why don't you pigs stop harassing me?"

I think the time has come to treat the carnage on our highways with the seriousness it deserves and make the people responsible for it, truly responsible. Let's get our highway laws out of the horse and buggy era.

Mr. Speaker, this is the end of the letter. When you read a letter like this which is written from the heart, from a man who has undergone this kind of experience himself, there is nothing in here that you can possibly quarrel with, Mr. Speaker. You can say, "Well, the accused in this case was an unusual kind of person. A young man who is devil-may-care, couldn't give a damn, couldn't care less; he committed one accident, he is prepared to commit others. Apparently he has gotten into trouble again and again and again." But on whom should the onus be?

He who is careless should be carless, really. The onus should be on the other side. The duty should be on the side of the person who doesn't take care. The onus should be

on him—not on the person whose life has been taken, but on the person who takes life. The carnage on our roads is absolutely abominable. And I tell you, Mr. Speaker, through you to the minister—

Mr. J. F. Foulds (Port Arthur): No more Spadina. Ban the automobile, ban the expressway. That's the solution.

Mr. Givens: Well, I don't know what that interjection was for, Mr. Speaker.

An hon. member: It shows someone is listening.

Mr. Givens: It shows he is listening, but it also was a silly remark. I had a secretary who was killed on Christmas Day. She didn't get killed on an expressway, she got killed at a subway stop just this past Christmas. So, I mean, if the member is going to make silly remarks, I could make the remark that you can get killed on a subway as easily as you can on an expressway, Mr. Speaker. This just happened a couple of months ago—less than a month ago. So, I mean, of what consequence is that kind of remark?

The carnage on our highways has become so serious that for people who aren't prepared to drive with due care and attention, we should have no pity and no remorse. The duty and onus should be on them and we should stop shedding crocodile tears for those people who have licences suspended, provided that the due process of law is followed. I mean, I don't think we should have some bureaucrat in the minister's office who looks at a piece of paper that comes through and says that because of something that happened a licence should be suspended automatically. I mean, provided the normal course of events is followed and the proper investigation is made, and this person is deserving of having his licence suspended, it should be suspended whether he has to make a living or not. He should think about it before he gets out on the road.

But no remorse should be shown to these people who drive without due care and attention. Our civilization and our society have come too far along this road without our being so puny in this particular case that we shed too many crocodile tears about the particular person who is careless in this regard.

I am glad I had this opportunity to read this letter and with great respect to the minister, I hope that when he gets his copy of Hansard and he sees this letter—and perhaps I'll still send it to him—he will take these suggestions of this gentleman, Mr. MacCharles, seriously. I hope he sees whether indeed the law officers of the Crown, in the minister's department or in the Attorney General's department, can possibly make these necessary changes that he talks about in here to accommodate the kind of offences and the kind of misdemeanours and the kind of wrongs that he thinks should be righted, and that he feels they should indeed be righted in accordance with the manner that he has suggested.

Mr. Speaker: The member for Wentworth.

Mr. Deans: Thank you, Mr. Speaker. I have two or three comments to make on this, and I am almost reluctant to say what I am going to say, given some of the comments that have gone ahead of me.

I consider drinking and driving to be a very serious problem in Ontario. I recognize that for the most of us—and I include myself in the number—there is every likelihood that at some point in the past we might have been stopped, or in the future we might be in the position where we could be stopped, and could be considered under the law to be under the influence of alcohol while in control of a motor vehicle.

I still think that we have to take pretty strong measures to try to bring to the public's attention the consequences that they will face if they are caught drinking and driving, particularly drinking in excess. I think it is unfortunate that we have to wait until someone is killed or there is a serious accident before we seem to be able to recognize that there is a problem developing within society. It's really too late to raise a hue and cry when a motorist strikes a child crossing a street or when two cars collide at an intersection and one of the drivers is considered to have been impaired.

I think we have an obligation, though, to do more than what's in the bill. I think we have an obligation to begin a very serious programme in informing the public of the attitude of the people of Ontario. I think that the highway traffic signs in Ontario could well carry a warning. That warning might well be that if you are caught drinking and driving in this province your licence is likely to be suspended. If not suspended, you are likely to lose it for an indefinite period of time.

I realize there is always the likelihood or possibility of what my colleague has said. A person might have driven for 23 years and never once have been stopped. Suddenly, he's stopped by a police officer—for one rea-

son or another—and is discovered to have had too much to drink and is convicted and loses his licence and his job is in jeopardy.

What my colleague didn't say is that the person may have driven for 23 years, and in each of these years he might have been driving in the same condition but never have been stopped before. This unlucky soul happened to be in the wrong place at the wrong time. It's only, perhaps, by the grace of God that there wasn't somebody who stepped off the sidewalk or a car that came out of a driveway; or for that matter that he didn't lose control of the vehicle.

We have rather severe weather conditions in Ontario which make it necessary to recognize that we have to require people to have all of their faculties and all of their senses when they are behind the wheel of a car.

I don't know what I would feel about the kinds of penalties the minister should impose. I don't really think that fining people makes much difference, because it is not long afterwards they have forgotten the fact that they had to pay the money.

I can't see much point in putting them in jail, because in actual fact the majority of them are not doing anything much different from a great many other people. They just happened to be in the wrong place at the wrong time.

I have a real problem with people who come crying to me and tell me they got picked up for driving while intoxicated and they may lose their job, because they need a car to get either to and from work or for the purposes of their business. I have to think that that's something they should have given some thought to before they had the extra drink or two.

I would be even tougher, I think, if I were faced with it—although my colleague would disagree with me. Perhaps all of my colleagues would disagree with me, for all I know. I think that the three-month suspension on a first conviction, given that that is only a first conviction and not necessarily a first offence, is not at all too difficult to consider.

I am of a mind, if a person were to be convicted again within that five-year period, whether they shouldn't lose their licence altogether.

I'm really quite concerned that the law isn't sufficiently strong in this regard. Driving an automobile, given the traffic volumes in the majority of metropolitan areas, is a hazardous occupation, a hazardous undertaking at the best of times.

I have personally watched drivers come out of the parking lots of hotels at excessive rates of speed, entering highways and streets without proper care, weaving down the street, luckily getting home and parking and going in and falling asleep. It is because no one else happened to be in their way, or everybody else happened to get out of their way that they were able to avoid an accident. It was only because there were no police in the area that they managed to avoid being picked up.

I think it's a bit strange, though, that in this day and age we insist that hotels that are being built have parking lots for 200 cars or something, while at the same time talking to people about not drinking and driving. I once thought that maybe it would make sense if we didn't allow hotels to have parking lots at all. Then maybe people would have to take the bus or take a cab.

I don't know how that would go over with the hotel proprietors; but I am still concerned that you can't encourage people to take their car down to the local pub for a drink and expect them to come out sober and drive home.

I know, in some instances, the police sit in very close proximity to hotels and are able to pick up quite a few people after they leave in their cars.

Hand in hand with what we've got, I think we're simply going to have to embark upon a very serious and continuous programme of public education. I don't think it's nearly enough to make a statement every once in a while about the hazards of drinking and driving. Perhaps we could begin by making sure that every hotel is adequately signed to show that after you've had three drinks you're not considered fit to drive within the law. Maybe it would be a start to have a number of signs in each hotel beverage room —the best place is probably in the washroom on the wall, where everybody reads—stating that after your third drink you're really not fit to drive and you should consider taking a cab.

Beyond that, I think there should be considerable emphasis placed on public education, both in schools and on the highways. On the highway signs from Hamilton to Toronto and within Metropolitan Toronto, perhaps it wouldn't do any harm to have as part of those signs that in Ontario if you lose your licence you may not get it back. I think that would make people think twice. It might not stop them; it might go on just as it did before, although I doubt it because I think a lot of people would have some

serious concern about the possibility of not being able to drive at all.

It might simply encourage people to drive without a licence. In that case, then the penalty has to be even more severe. If you have lost your licence, if you know you don't have one and you insist on driving, then the penalty has to be much more severe—and people have to understand what it is; we have to make clear to them what it is.

I realize that most people might think that's a kind of Neandarthal approach. A lot of people might think I'm a bit backward in my thinking about it. I'm not apologizing for that, but I can't think of any other way to come to grips with it.

If people insist on drinking and driving, then they have to be made fully aware that the consequences are that they will not have a licence. I think we've got to say to hotel owners that they have a responsibility to play a role in making sure that people are made aware of this. I think we have to make sure that the public advertising campaign is sufficient and that the penalty—I suppose it's called a penalty—is of sufficient magnitude to make it desirable for people not to break the law in that regard.

I gather the minister means business; I don't know. Everybody feels sorry for the guy who loses his licence; I do too, sometimes. I feel sorry for someone who loses his licence in a marginal case. Nevertheless, I have some real feeling about the people who, luckily enough, manage to get home without getting killed by the guy who was drunk, or who perhaps had problems with him because he was drunk. I'm not just sure any more. I have a lot of mixed emotions about it. I've wondered a lot about it and I'm not sure what the answer is. But I'm sure that part of the answer is in making sure that people who habitually drink and drive are not given licences to drive in the Province of Ontario.

I think we've got to recognize that there are very few cases indeed, although no doubt there are some, where a person once in his or her lifetime happened to drink too much, drove and got caught. But in the majority of cases it's the person who drinks too much and frequently drives who gets caught.

Mr. J. F. Stokes (Thunder Bay): Especially those who are too drunk to walk.

Mr. Deans: It may be that all I've said won't make any difference, but I've come to the conclusion that if we don't do something about the situation of drinking and driving in an effort to try to bring to people's attention the dire consequences they face, then we're not going to be able to afford to drive in the Province of Ontario.

Mr. Givens: That's why cabinet ministers have chauffeurs.

Hon. J. R. Rhodes (Minister of Transportation and Communications): I heard what the member said.

Mr. Deans: I don't have any statistics about it, but I'm told that much of the damage to automobiles results from drinking and driving; that in a great percentage—perhaps my colleague from Yorkview (Mr. Young) knows—of accidents drinking and driving are involved; and that property damage, which results in higher rates of insurance, is attributable to a great extent to drinking and driving. I might say that I, like a lot of people around here, enjoy having a drink, but I am concerned that at some point we are going to be faced with very serious problems if we are not already faced with them. I suggest to the minister that the legislation is okay, but I think it could be even stronger.

Mr. Speaker: The member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, there are two principles in this bill with which I would like to deal very briefly. They are both contained in section 28 of the particular bill and have to do with school buses.

I believe it was some eight years ago the township of Anderdon posed a problem to me relating to the 35 mph speed limit. At that time I took it up with the ministry, and on subsequent occasions, and I am very pleased to see that this particular section is going to be deleted from the bill.

Mr. B. Newman: How long did it take the member to get that through?

Mr. Paterson: It is eight years we have been working on this. In this particular instance, Mr. Speaker—

Hon. Mr. Rhodes: My ministry has resolved it in the space of one year.

Mr. Paterson: —the township in question had to make amendments to its speed limit, to get it down to the 35 mph limit from the previous limit, in order to protect the children, as the road surface is quite narrow and there are ditches and no place for the children to stand. This was one way they circumvented the system, and now I am sure that they will be quite pleased, as other areas in

my particular riding will be, with this particular amendment to the bill.

The second principle with which I am concerned is in relation to the regulations respecting colour and markings of school buses. As the minister is aware, the member for Essex-Kent and myself did pose a question to the ministry a year ago after an unfortunate accident when a workers' bus was mistaken for a school bus. Certainly we uphold the principles contained in here on the chrome yellow painting with the black letters and so forth. There is no question in that regard.

This past weekend I was approached by owners of two school bus lines in my particular riding who were somewhat concerned about this particular legislation, as apparently the school bus owners' organization in the province has endorsed a principle, on their understanding at least, that these school buses could no longer be used for charter purposes. If that is incorrect, that's all I want to get from the minister.

Hon. Mr. Rhodes: It is incorrect.

Mr. Paterson: It is incorrect? Well, that's the word we want to have. The documents that came out from their association have been misinterpreted by some of the smaller school bus operators. I am glad to hear this, because it is very essential in many municipalities that these buses be available for charter purposes. I know in the counties of Essex and Kent, where some 8,000 school children work in corn detasseling, the only method of transportation is school buses. Certainly some of the select committees of the Legislature have travelled many hundreds of miles by school bus and we wouldn't want to see that denied to them. I am pleased to learn this from the minister and I will pass it on to my constituents.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I want to make a few remarks about the business of the restricted licences tonight. It is, I suppose, about a year or so ago that the hon. member for York Mills (Mr. Bales) and I, along with the Attorney General at that time (Mr. Welch), had a bit of an altercation here in the House over this whole matter, because fresh in my mind was a case of a rather gross injustice of a chap who had been driving, had been caught, his licence had been suspended and he had lost his job. This chap—it was a first offence—had not made a habit of drinking but he had made a bad mistake. I felt that here was a case of injustice and perhaps we should be thinking in terms of giving some leeway to the judge to make some award of a restricted licence or something of that nature, so that people of this kind might be looked at carefully.

On the other hand, of course, one always has to weigh injustice on both sides, and certainly as I looked over this last year, as I have, at some of the figures of death on the highway due to alcoholism, and the upsurge of the alcoholism and the death rate among younger people particularly since the lowering of the drinking age—along with the voting age—I realize perhaps there is a great deal to be said on the other side of the situation. While injustice may occur on the one hand, perhaps more injustice occurs on the other hand. The person who is allowed to get away with drinking and driving creates real problems for himself and many other people. Perhaps the weight of the evidence is on that side rather than on the other.

Last fall I put a mass of figures in Hansard in connection with this whole problem of alcoholism and traffic safety. I'm not going to repeat those figures tonight. I don't have them with me, but even those I remember I'm not going to repeat in any kind of detail.

The thing we have to recognize is that we are dealing with two activities of the human race—the activity of drinking and the activity of driving. Both are legal in this province and around the world. But our problem is to separate the two, and to say to people: "If you're going to indulge in this particular legal activity then you should not indulge in the other legal activity. You can't mix gasoline and alcohol."

That's our problem in this society. It's the resolution of that problem that the minister is trying to get at tonight. It is being wrestled with by a great many people on this continent in a way that it has never been wrestled with before.

Last fall, here in Toronto, 30 nations were represented in a conference dealing with alcohol and traffic safety, and as I sat and listened I saw the common problem of 30 nations was being met with bewilderment—nobody had the answers. The problem was defined, but nobody had the ultimate solution to the whole thing.

Our own committee, who looked into this and last fall brought out a report on drinking and driving, pointed out certain very startling things. The death rate on the high-

way among teenagers, particularly late teenagers, has more than doubled since we lowered the drinking age. It's tied right in to that time frame so that there is no question of a basic cause for it. When we see that in 1972 the 18-year-olds had an accident rate that was between 300 and 400 times the rate before the drinking age was lowered to 18, and the 19-year-olds had almost as bad a record, then we commence to realize we are facing a desperate problem with our young people.

The other thing pointed out was that young people are being bombarded today in an incredible way by television ads which make the drinking of beer particularly, and of course by transfer, all alcoholic beverages, the thing to do—

Mr. Givens: Glamorous.

Mr. Young: —as the way to manhood or womanhood, the way to happiness, the way to wealth, prosperity, what you will. And that's been driven at them constantly day and night by an industry which is seeking only one thing, the profitable sale of their products. They don't care one iota what happens to the young people of this country.

This is something we have to face. Simply making a change in the restricted licence doesn't go any distance at all toward solving the problem. We have to face up to what this kind of advertising is doing to our civilization. We have to face up to the fact, and I think everybody is agreed upon this who is knowledgeable in this field, that this kind of advertising ultimately must be banned.

The myth is so often perpetuated that beer is not as dangerous as alcohol, as hard liquor. But one bottle of beer has the same alcoholic content as a shot of hard liquor. So whether you drink a bottle of beer or a shot of liquor, you are getting the same alcoholic content.

The thing the British did is extremely significant, although it didn't last too long. They went out on a campaign when they brought in their breathalyser legislation. They had a multiple of three. They said this to everybody: "Three drinks and after that, no driving. Three drinks, no driving."

That's not always accurate. It depends upon a person's weight, his eating habits; all the rest of it. But, by and large, they made that a rough rule of thumb: three drinks and out.

This is where we have got to get at the thing. We have to show our people that the alcoholic is a person who needs help. We've got to train more people to look after them.

But, beyond that, we've somehow got to persuade our people that if they are going to drink beyond the two or three drinks that will bring the blood level up to four, five, six, seven or eight per cent, then that's the time to stop driving.

If a sober person is going into town to drink, Mr. Speaker, then he must make arrangements to get home without sliding behind the wheel of a car. That's the fundamental thing we have to do. We have an education job here that must be done.

I don't know what the total answer is. I don't think any of us does. But, certainly greater enforcement is part of it. As my colleague, the member for Wentworth said, we have to start an educational programme in the schools that is realistic to show our young people how alcohol can be properly used, and what the misuse of it will lead to.

Certainly, we have to have television programmes and a thorough-going educational programme to show our people that they must not take the risk of losing their licences by driving after their blood alcohol level is up to a certain point—and 0.08 likely is too high. That's the law now, and we've got to live with it. But that's likely too high.

It is a big problem, yet here is a start. The minister is trying to say to people that this is penalty. But, Mr. Minister, I say that it has got to be backed up by far more than this.

I would hope that this ministry and the other ministers on the Treasury benches will take this matter seriously; that they will read that report on alcoholism and traffic safety, that this government has produced with all the facts and suggestions that are there; and that they will say:

"We are going to take this seriously. We are going to put resources into this programme. We are going to put teeth into the programme itself. We are going to put enforcement resources there that will at least persuade a lot of people who are now sliding behind the wheel of a car that it doesn't pay to do so. And somewhere along the line we are going to lower the whole incidence of traffic accidents."

It is a startling fact that over 50 per cent of all the deaths on the highway are alcohol-related. A larger percentage of the accidents are alcohol-related. So we have got to bite the bullet. We've got to start on the road away from the kind of trend we've had in the past. We have to find the way back to sanity in this whole matter of the consumption of alcohol.

I say to you, Mr. Speaker, that I hope that this House will take this whole matter seriously and not be content with just a small amendment to our Highway Traffic Act. We must go beyond that and make the whole matter of highway safety effective.

Mr. Speaker: The hon. member for Huron.

Mr. J. Riddell (Huron): Thank you, Mr. Speaker; I just want to make a few comments. The first thing I'd like to do is commend the minister for making some attempt to provide more adequate legislation for the safety of the children who travel to and from school by school bus.

You are probably familiar, Mr. Speaker, with the fact that in 1973 and again in 1974 I introduced a bill aimed at safe school bus transportation. This bill addressed itself to the two major areas of the school bus operator and the school bus itself where safety demanded legislative action. I recall when I spoke on that bill some member from the NDP got up and said there was legislation but it was just a case of it not being enforced.

I took this as having some basis in fact owing to the fact that I wasn't here that long and I really wasn't all that familiar with the legislation that was available. But since that time I have had a chance to look at what legislation is available and I have tried to determine what was covered by federal and provincial statutes. I was surprised to discover that mandatory safety standards for a 1973 automobile carrying only six passengers were more stringent than those for a 1973 school bus carrying 65 children.

This is hard to believe. Here we are transporting probably the most precious cargo that any vehicle could carry, that is young children, and the safety devices within these buses do not meet with half of some of the safety devices that we have in passenger cars. In fact, safety standards for school buses are only now beginning to be researched by a committee of the federal Ministry of Transport. I believe a study was recently being done by the Ontario Ministry of Transportation and Communications regarding school bus safety.

In this bill before us, the minister has recommended that buses be required to stop regardless of what speed zone they are in. Again I commend him for what I call a very small aspect of the overall bus safety picture. The reason I think he is wise in bringing in this particular legislation is that statistics have shown that the most hazardous part of a journey that a bus makes every day is when the bus stops. More children are killed crossing the highway to and from the stopped bus than are killed as passengers within the bus.

I might say, Mr. Speaker, I have done quite a bit of research on this. As a matter of fact, every time I heard of a bus accident I wrote and asked for a police record of the accident just to see what types of injuries were being sustained by these young people in the bus. I feel I am a little better equipped to talk about the thing than I was maybe in 1973.

The lives of school children alighting or boarding school buses must be protected as far as possible wherever they might be. Therefore no exemptions should be made with regard to the speed limit; motorists must stop for a school bus with lights flashing letting off or taking on passengers at all times.

This has now been incorporated in the bill. The old argument that the stopping of buses in a 30 miles per hour zone would delay traffic is not sound as far as I am concerned because school buses tend to travel when traffic is not the heaviest, and surely the safety of a child should be put before the movement of traffic.

Based on findings, and according to reports and numerous letters I have been receiving from concerned people in Ontario, it's evident that the selection and training of school bus operators leave much to be desired. I am only sorry there wasn't something included in this bill which would indicate that the bus driver must be subjected to a more severe driving test than he has had in the past. I could go on and say quite a bit more about the types of tests I think a school bus driver should be subjected to, but hopefully I might have a chance to speak on this before the session ends.

One area of concern that crops up time and time again in letters directed to me, Mr. Speaker, is the overloading of school buses. Here again, we haven't any legislation that prevents the overloading of a school bus. Despite the fact that research has added indisputable evidence that standees can become human projectiles in the event of an accident, the practice of standees in buses still persists. In fact, Ontario law permits standees to the extent of one-third of the seating capacity of a bus.

I simply fail to understand why the minister won't act on this particular matter and bring in legislation insisting that no standees be permitted in a school bus.

As I have said, I have checked into a lot of the accidents that have happened, and the fatalities that were reported were among

those who had to stand in the aisle. The ones who received injuries but were not killed were the ones who had some protection inasmuch as they were sitting in a seat.

Nevertheless, these young people were thrown forward in the bus and received facial lacerations and their teeth were knocked out simply because of that steel bar that runs at the back of the bus seats. There is no padding on the back of the seats in the buses; and there are no arm rests on the bus to actually restrain the young people.

I just can't understand why we can't have legislation upgrading the CSA standards whereby they would have to construct buses, and whereby school boards would be compelled to buy buses, that had all these safety features added to them.

There are more school bus accidents occurring as time goes on. We in Ontario have been fortunate that there have been very few school bus accidents up to now, but we do see them reported quite frequently now. I have been following them up, and many of the injuries and many of the fatalities have taken place because we simply do not have properly designed buses with the proper safety features in order to give children some protection. There are probably many more things I could say on school bus safety, but I am not going to at this time.

The only other thing I want to mention is this business of farm vehicles travelling along the highway. It is my understanding that under the existing law if such vehicles pull over on to the shoulder of the road to allow traffic to pass, and there happens to be an accident, that farmer is held responsible simply because he pulled over on to the shoulder of the road.

I would like the minister to tell me whether I am right or wrong in this respect, but I think this is something worth looking at. I think if a farmer is driving a tractor, say pulling a load of hay along the road, and he knows he is holding up traffic, then I think he should be allowed to pull over on to the shoulder of the road and to travel along there until the traffic passes him by. But it is my understanding, and I might be wrong, that the way the law is at the present time, if a farmer does pull over on to the side of the road and there happens to be an accident, then he is held responsible for that accident.

Mr. J. A. Taylor (Prince Edward-Lennox): I think the member is wrong.

Mr. Riddell: Those are the only remarks I am going to make at this time, but I would like the minister to tell me why he won't bring in more adequate legislation to protect our young people travelling to and from school by school bus.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I would like to congratulate the minister on bringing in, at least, this subsection to remove the provision that the subsection applies only where the maximum speed limit is greater than 35 miles per hour.

It seems to me that every September I have been besieged by parents and school teachers complaining about the unsatisfactory arrangements that have existed. In fact, just last fall in one of the communities the people put out a petition to raise the speed limit on their road from 35 to 40 mph, despite the fact that they would have preferred that the speed limit be reduced to 30 mph. The reason they signed what appears to be a ridiculous petition was simply that they wanted the school bus to be able to activate the lights when letting the children off, but every year I got letters back—I suppose written by the same person in the minister's office—explaining that this couldn't be done. In fact I think the minister must have some people who sit in his office and write the same letters year after year; and the new ministers, as they come along, just sign the letters, perhaps without even reading them.

Mr. J. M. Turner (Peterborough): That's only for members who didn't understand the first one.

Mr. Ruston: There they are, the letter writers.

Mr. Burr: Oh they are under the gallery.

Well I have written to the minister on occasion about another problem that all of us hear about, the idea that shopping malls should be put under the Highway Traffic Act so that the police and the fire departments can have adequate access in the event of emergencies.

Hon. Mr. Rhodes: I have read all those letters and I agree with the answer.

Mr. Burr: The answer that I got this year used the word "tradition." It couldn't be done because it was traditional that the Highway Traffic Act governs only highways and it doesn't govern shopping malls, so

this is tradition. I find that with this minister, if one talks to him personally, one gets farther than if one sends letters to these professional letter writers, who are traditionalists.

Mr. B. Newman: They allow snow removal on private property.

Mr. Burr: Do they?

Mr. B. Newman: So they can just turn around and do the same thing.

Mr. Burr: They are defying tradition then, aren't they?

Mr. Speaker: Order please. I wonder if we could return to the principle of the bill.

Mr. Burr: Oh yes. Mr. Speaker, I would like to point out, as my colleague from Yorkview did in different words, that it's now a privilege in Ontario to drive at 16 after passing a test for ability, and at the age of 18 people have the right to drink without passing any tests of their ability to do this; but nobody has any right or privilege to do both of these at the same time. We should have signs around on our highways: "Don't drink while driving, don't drive while drinking"; or words to that effect. Actually, in Windsor, we do have some signs up in this vein. I forget the exact wording now, but some of the signs refer to the .08 level and others get the message across that one is heading for trouble if he is drinking and driving.

Mr. Speaker, with regard to the breathalyser tests, they have proven to be ineffective because they are not used in spot checks and the motorists know this is the case. The police now have a device to make our highways safer but they don't, or they can't use it. The breathalyser test is just as valuable a safety device for you and me, Mr. Speaker, as is the seatbelt or the shoulder belt, but there's no point in our having seatbelts or shoulder belts in our cars if we don't use them; and there's not much point in having our police armed with breathalyser devices if they don't use them on our behalf.

Most motorists are sensible enough to realize that if they were driving while they were drinking and were subject to spot tests the chances of their being caught would be significant and many of them would make sure they never ran the risk.

I think I saw some figures recently that the average policeman in Ontario makes two impaired driving arrests a year. That gives you some idea of the ineffective enforcement we have, Mr. Speaker, because various studies have shown that as many as one out of 12 drivers are in the impaired range on certain occasions when tests have been made.

Alcohol advertising should be banned. Perhaps some of the hon. members noticed that this Christmas the breweries put out posters with the slogan, "None for the road." This, of course, was for the Christmas holiday only, because it just isn't very nice to be killed by a drunken driver during Christmas holidays.

Mr. J. A. Taylor: I wouldn't want to be killed at any time of the year.

Mr. Burr: Oh no, but as far as this slogan is concerned and as far as the breweries are concerned this is the slogan for Christmas time, you see, because it's not nice—

Interjection by an hon. member.

Mr. Speaker: Order, please. The hon. member for Sandwich-Riverside has the floor.

Mr. Burr: Thank you, Mr. Speaker.

This type of slogan should be used throughout the year and should be publicized throughout the year and not just at Christmas time. So, I appeal to the minister, Mr. Speaker, to take advantage of the high office that he's holding to make our roads and our streets and our highways safer for all the motorists and the pedestrians of this province.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Speaker. I wanted to make a few comments on this piece of legislation, and, at the outset, hope that the minister enjoyed himself last Saturday night. He was with a very nice group of people at the Caboda Club.

Mr. J. R. Breithaupt (Kitchener): Where's that?

Hon. Mr. Rhodes: That's in Windsor-Walkerville riding.

Mr. B. Newman: That is in the Windsor-Walkerville riding, the great riding of Windsor-Walkerville.

Mr. Burr: On the edge of Sandwich-Riverside.

Mr. Breithaupt: Fame enough.

Mr. B. Newman: Mr. Speaker, my first comments concern a restricted licence. I hold no brief for an individual who is apprehended by the law for being intoxicated. But I don't think that under all circumstances, simply

because the individual is intoxicated and is driving, he should lose his privilege to drive for a period of time. I think that individual, especially on a first offence where there is no property damage or where property damage is very minor, should not lose his right to earn a living.

I can understand the ordinary individual losing his licence, but in talking about an individual who drives a vehicle professionally all the time, I think it is wrong to deprive him of the opportunity of earning a living. Under no circumstances would we take away the right of a doctor to practise medicine simply because he were caught driving while under the influence.

Mr. Burr: But he should be rehabilitated first.

Mr. B. Newman: The doctor should be rehabilitated?

Mr. Burr: The drunken driver.

Mr. B. Newman: Mr. Speaker, I think that if the individual is caught for the second time, there should be no compunction whatsoever. Maybe we should even go farther than to cancel his driving privileges; maybe we should use the State of Michigan system, which is that drunk drivers go to jail, stop.

I think we have to come to grips with the problem of the drunk driver, and I don't think we can come to grips with that problem by being too lenient. I only make that one exception, and that is where it is the livelihood of the individual, and it is not during the course of his work—he is off work when, for the first time, he happens to be caught under the influence and then loses his right to drive. For a second offence I say that individual certainly should have his driving privileges withdrawn.

I think the big problem, Mr. Speaker, is an educational problem. I don't think we can stress strongly enough in our school system the hazards of drinking and driving at the same time. I can recall in my earlier days in the classroom attempting to point out to the students some of the problems they could run into as a result of overindulging in the products of the Hiram Walker company, and other similar companies. But it is extremely difficult to convince people at that age that they should be moderate in their approach to alcohol, food, or anything else that we may consume.

Mr. Speaker, I think the minister could suggest to his colleague, the Minister of Consumer and Commercial Relations (Mr. Handleman), that every time a liquor licence board gives a special occasion permit, the organization not only post the permit on the wall, but also other types of signs. These would state that if the individual overindulges, then he certainly shouldn't drive. We might have signs similar to those our American friends use, that is: "Drunk drivers go to jail." Through an educational programme, we have got to convince the public that driving and alcohol definitely do not mix.

Now, I would say that not only with special occasion permits should there be some type of poster that should be posted in the hall in which the function is taking place, but there should be several of these posted inside taverns in an attempt to alert the individual that if he overindulges there are penalties that he may have to be subjected to if he is apprehended by the law officers of the Crown.

Mr. Speaker, I am very pleased that the minister has followed the suggestion that originated, if I am not mistaken, in the county of Essex, and that is concerning leaving the one colour exclusively for buses. I think it was a forward step on his part, but I just wonder why, Mr. Minister, it takes so long for good suggestions to be adopted by government.

Mr. Paterson: I explained that.

Mr. B. Newman: The member for Essex South has been attempting for years to alert the ministry concerning the problem, and just didn't seem to be able to get anywhere. We hope, Mr. Minister, suggestions from this side of the House also have merit, and that the ministry and its officials should think seriously concerning them.

I can recall being in correspondence with either the minister or his predecessor concerning the adopting of the specific colour for school buses. That was well over 1½ years ago, and it is still under consideration. Surely, the ministry doesn't take a thing under consideration indefinitely. As the member for Essex South said, he has attempted for years and years to convince the ministry of adopting such a scheme.

I would also like to tell the minister that I am extremely disappointed in the legislation introduced today in that it doesn't designate ambulances as emergency vehicles. Surely, Mr. Minister, an ambulance is an emergency vehicle—I think it is.

Back on May 17, 1974, I received a communication from the minister stating the matter was "currently under review." He said:

> Although it is unlikely that any amendments to the appropriate sections of the

> Highway Traffic Act can be ready for introduction during the current session of the Legislature, it is my intention to deal with the matter at as early a date as possible.

That was May 17, 1974. It doesn't take that long, Mr. Minister. I really think that ministry officials should look into designating ambulances as emergency vehicles.

From my understanding, and in talking with officials in the ministry, they are not considered emergency vehicles—and as a result must stop at all traffic intersections, even though they may be rushing an individual to a hospital, it being a matter of life or death.

Returning to the bill, Mr. Speaker, I'm also pleased the minister now has taken the recommendation, of Mr. Crothers I think it was, who has hounded the ministry to have the law changed so that flashing lights would be required at any time a bus would stop, regardless of the posted speeds. We owe Mr. Crothers the real thanks of the Legislature for his hounding the ministry to see the ministry did eventually listen to a good suggestion. The suggestion, I would say, not necessarily coming solely from him, since there were other groups and organizations that have made that suggestion. I can recall practically every council in the county of Essex passing a resolution to that effect.

An hon. member: Annually.

Mr. B. Newman: The Ontario Municipal Association likewise passed a resolution to that effect. I think the PTAs and Home and School Associations have also attempted to have that legislation accepted by the ministry. Now that the ministry has accepted that, we commend the ministry for it.

I hope he goes farther than he has done so far and that he also looks at the suggestions that the member for Huron made in his comments back in 1973 and then again in 1974 concerning buses and bus safety. He has made some good constructive suggestions to the ministry. We hope the minister and his officials read his comments and don't hesitate to implement them. They come from this side of the House, but we're generally constructive and we would like to see him implement some of the things that are for the betterment of our youth.

This is the content of my comments, Mr. Speaker. I hope the minister has a chance to reply, and especially to reply to me concerning the ambulances as emergency vehicles.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I'm pleased to enter this debate and bring just several comments with respect particularly to the operation of school buses.

In reviewing the basic approach this bill takes, it is, of course, clear now that one of the major points that the bill raises is a definite suspension of drivers' licences for certain offences for a period of three months for a first offence and six months upon a subsequent offence. We are aware that over the past several years there has been a certain difficulty in immediate suspension for drivers' licences and as well of the view that some people had that they could obtain a specific licence for work or for certain job requirements, generally on a restricted term during the time that otherwise their licence would be suspended.

I think it is worthwhile that we have now come to a conclusion on this particular problem and have received assurance from the ministry that in certain circumstances, which I hope will be well advertised, there will be without question a suspension based upon a decision made that that kind of a penalty is a valuable one and one which, hopefully, might be a deterrent in certain other circumstances. The sections of the Criminal Code which deal with those offences for which suspension is mandatory are clearly set out in the Act and we would certainly agree with them here.

There is one point that I would like to raise and that's with respect to the matter of school buses. The minister may be aware there was an editorial comment in my home newspaper, the Kitchener-Waterloo Record, with respect to this whole approach concerning the requirement to stop cars during the letting off or taking on of pupils onto the school bus. Drivers of cars have been forbidden to pass a school bus if the flasher signals are working, and only if the bus has been stopped where the posted speed limit is more than 35 miles per hour.

I think it was reasonable that the editorial comment raised the point that it might well be a question to the person driving by as to just what the speed limit might be in a certain area. They particularly raise the comment that apparently was made at Goderich to a convention of the Western Ontario chiefs of police with respect to a resolution urging the government not to extend this stopping requirement into other areas.

One of the police chiefs involved at this particular event apparently commented, as it's reported, that the whole approach of

requiring motorists to stop in speed zones posted at 35 miles or less was in fact a traffic hazard. This police chief, reported in this case to be Mr. Robert Cook, the chief of police for Sarnia, was of the view that stopping in these kinds of zones was a greater problem, proportionately, than the certain concerns that might exist with respect to the safety of school children. The chief of police of Point Edward, Mr. J. H. Clarke, was reported as having the opinion that we would have a better system if stopping for school buses was removed entirely from the Highway Traffic Act.

Certainly in my view, and I'm glad to say that in the view of Mr. Wilfred Henrich, the chief of the Waterloo regional police and formerly the chief of the Kitchener police department, we should be putting the lives of pupils and possible injuries that could occur ahead of the traffic inconvenience of this kind of a stopping pattern in zones in which the speed limits would be 35 miles per hour or less. Certainly there might be a minor traffic hazard involved, but we think that the risks balanced against the possible injury which could occur to pupils using school buses would be well worth that kind of balance.

Accordingly, I would appreciate the minister's views concerning the comment of Chief Henrich, that "one cannot provide too much safety for the children of the province." I think this kind of an approach, whereby we now require drivers to stop their motor vehicles at any time they see a school bus stopped, is a much improved situation. Whether the speed limit might be 35 miles per hour or more is something which of course could be omitted from a driver's remembrance as he goes through a 40-mile zone or as he comes out of a 50- or 60-mile zone.

I think that if we make this particular change we are working toward a better safety situation and we are going to have the requirements that school buses, when they are stopped, must bring a definite reaction within the members of the public who are driving motor vehicles. That reaction has to be that vehicles will be stopped; that there will be the encouragement, not only from a position of safety but also from a position of simple common sense, that the lives of the students who are using those buses are certainly to be more than balanced against the traffic inconvenience of making stops at those points.

The one point I would raise with the minister, and I would appreciate his comment, is the question which comes forward from the present requirement that one has to stop when meeting a school bus except where there is a median strip. One wonders, as a result, if there is really meant to be an exemption when there is a median strip and whether this should not also be removed to permit school children to completely cross a highway. The matter of the median strip may prove to be an inconvenience or a certain problem as vehicles are otherwise approaching a school bus. I think there should be some clarification on this point.

Again, if the present requirement to stop for school buses is complete, no matter what the speed zone limit may be, then some publicity also should be aimed at the oncoming driver as to what is expected. If the matter of a median strip is going to be a solution to avoid that person's stopping, then I would hope that the minister might give that some particular publicity so that the drivers of the province—as most of us are, of course—are aware there are certain basic requirements and that the exceptions to those requirements are clearly spelled out.

Mr. Speaker: Does any other hon. member wish to take part in this debate? The hon. minister.

Hon. Mr. Rhodes: Thank you, Mr. Speaker. First of all, I think the sections of the bill that caused the most discussion were those that dealt with the changes, and the new section that deals with the suspension of drivers' licences and privileges on conviction for certain offences under the Criminal Code.

I'd like to make it very clear at the outset that the word penalty has been used and this is, in fact, not a penalty for the particular conviction. The penalties are called for by the Criminal Code, but the suspension will follow the conviction for any of these offences.

As far as the change is concerned, it certainly is my opinion that when people take the responsibility that goes with the privilege of driving an automobile on the highways of this province, they must accept that they are expected to obey all of the laws, and that if people are going to violate the Criminal Code they must be subject to the possibility of losing the privilege to drive in the province.

The suspension of three months for the first offence is, in fact, less than the existing Act now provides. The existing Act, for example, upon conviction under the impaired and intoxicated driving sections, calls for a suspension of six months, but a suspension of one year if they are involved in an accident that injures or causes death or excessive property damage. It is six months for the first

offence and up to two years for any subsequent offence.

What we are doing here is removing the possibility of the restricted licence. What I am saying is that if a person is convicted for any violation of this sort under the Criminal Code he must accept the fact that he will not be able to drive upon the highways of this province, for a first offence for three months, and for any subsequent offence within the following five years, for a period of six months.

Mr. Breithaupt: Is the minister going to publicize it?

Hon. Mr. Rhodes: It will be well publicized. One of the problems we have is that in the courts around this province there has not been a consistency in the application of the law. We still face—and I want to make it very clear—we still face the situation where the driver convicted under the Criminal Code sections in a provincial court can appeal and he could be given a conditional discharge or an absolute discharge. Although he may have been found guilty he's not convicted, and he must be convicted before he will receive this suspension. As far as we are concerned in the province, upon conviction within our provincial courts these suspensions will be mandatory and no extra privileges will be given.

I have listened to many of the arguments that have been put forth. It's been interesting to listen to the differences of opinion. The member for Lakeshore and the member for Windsor-Walkerville both feel there should be this mercy, this leniency, this consideration for a person who may lose his or her job as a result of being convicted. Quite frankly, I would have to side very quickly with the member for Wentworth, the member for York-Forest Hill and others who have said that the person who is driving an automobile and who makes his living driving an automobile or a truck should be well aware of the fact that he is taking that chance of losing his licence, and it is not really the responsibility of the courts to show this mercy and leniency. The responsibility is upon the driver, who knows full well that if he is going to be convicted—

Mr. Lawlor: The minister always sets up some perfectionist norm. If he appeared before the courts very often he wouldn't think that. Each case always has unique circumstances.

Mr. Deans: He would be as corrupt as the rest of the lawyers.

Mr. Speaker: Order please. The hon. minister has the floor.

Hon. Mr. Rhodes: Mr. Speaker, I am going to associate myself with the comments of the two members opposite, the member for Wentworth and the member for York-Forest Hill. As a police officer in a municipality of some size I spent a lot of time investigating various accidents. I've seen people who have been killed, or badly injured or maimed, and unfortunately I cannot find too much mercy for the people who stagger away from these vehicles; you take them down to the police station and then the leniency of the court allows them back on the highway the next day.

Mr. Lawlor: Nobody is suggesting that. The courts will look after that.

Hon. Mr. Rhodes: I find no reason for any leniency in this area whatsoever for the person who finds himself arrested. Because he didn't hit and kill somebody, some lawyer throws his client at the mercy of the court and has him given a restricted licence even upon conviction. The following day that individual can just as quickly be killing someone. I don't see anyone feeling awfully sorry at that time for the victim, but they are awfully sorry for the person who happened to get caught again.

It is my position to stand by this particular section and to let it be known and widely known that within the Province of Ontario, if one is convicted under any of these sections of the Criminal Code he is going to have his driver's licence suspended.

Mr. Lawlor: The minister doesn't think three months is going to make any difference, surely.

Mr. S. Lewis (Scarborough West): There is a certain inconsistency.

Hon. Mr. Rhodes: I am sorry?

Mr. Lewis: It is just the business of removing the restrictions on the one hand and reducing the term on the other.

Hon. Mr. Rhodes: Let me comment upon that. The feeling is we can get an absolute suspension for the three months on the first offence and six months on the second and any subsequent offence. If one reads the Act as it is now, it was all relative to how much damage he did in the accident or whether he hurt someone or whether he killed someone. The way I feel about it is that that is really not the important part; that isn't the part we

are trying to discourage. The severity of the accident really isn't that important, it's the fact that the person was in such a condition. I fail to see why a person who is intoxicated and merely causes a slight rear-end collision that may cause a bit of whiplash—

Mr. Lawlor: If he is impaired, he is not intoxicated. It's quite different.

Hon. Mr. Rhodes: —should be treated any less severely than the person who smashes into a car and does any number of thousands of dollars worth of damage. That's one of the reasons why it was felt this would be even more consistent, that it is more severe in that there cannot be restricted licences given, at least not in the provincial courts or not within the suspension section that we have.

As far as the bus-stopping law is concerned, I don't think there is perhaps too much for me to say with exception of responding to the comments of the member for Huron who wondered why we hadn't gone a little further.

He mentioned the standees in the buses. I think it's simply a question of economics, quite frankly. I think it is a matter of the number of buses. For example—and I think the member is probably more aware than I of this—if a bus is making a run in a particular area and it has so many passengers in that bus that the bus is full to capacity and a new family moves into the area with two more students, what can one do with them? Does one have to hire a whole new bus to start delivering those youngsters? I think it is a matter of economics. Does one add a couple of standees to that bus, or does he buy a new bus?

I wonder just what the school boards would do and how they would approach it. I hesitate to use it after the remarks by the member for Windsor-Walkerville, but it is a matter that has been under discussion with the Ministry of Education. The officials have been talking about it. I don't know when we are going to be able to establish or raise the levels of doing away with the standees. It is a very serious problem and one that can have a great, severe economic effect on the school boards which are trying to provide a transportation facility.

As far as the standards of the buses themselves are concerned, these have been developed. The CSA standard D250, of which I am sure the hon. member is aware, is being improved upon and updated and in a very short while there should be new standards brought forth. This is being done in conjunction with the Consumers' Association of Canada, the Ontario branch, which has representatives on that particular body. They are keenly interested and have offered a tremendous amount of input into the discussion.

These standards, I think, will be improved. Ontario school buses have been meeting the CSA, the D250, standard since 1971. Anything that can be done to improve the standards I think will be done, recognizing that there are certain grandfather situations involved as to buses that have been purchased today by a school board that may not meet the standards that may be put into effect next year. Hopefully, these standards can be improved as we go along.

I think perhaps I would make one comment on the median strip. On major highways, where we have multi-lane highways with a median strip, it is our intention not to require oncoming traffic to stop. The stopping rule would apply in all other areas.

Mr. Breithaupt: I think some publicity would be worth while.

Hon. Mr. Rhodes: Again, that's absolutely correct, Mr. Speaker. The definition of median strip in the Act is what we would apply it by, and I have to agree that the publicity would be required.

I think this stopping law is going to be accepted a lot better than perhaps it was at first. There were those in some municipalities —and I think in the larger areas such as Metropolitan Toronto, Ottawa, London and Windsor—some of them were concerned that it was going to create a traffic problem within their communities if you made traffic stop for these buses.

I wanted to point out to the member for Essex-Kent that I think he may have misunderstood the question about the driver of the bus. The driver of the bus is required in the Act to activate these lights. The only time that he does not have to do so when he is loading or discharging youngsters is at an intersection that is governed by traffic lights. Aside from that, he is required to do at all times.

But I think there is more acceptability—certainly in the smaller communities we have heard a tremendous amount of comment from a great many people. Certainly the bill that was introduced by my colleague the member for Wentworth North (Mr. Ewen) that was debated here in the House some time back brought a lot of reaction from around the province ssupporting the position of having traffic stop.

The colour of the bus; although it took a long time, as the member drew to my attention, I think we are going in the right direction as there is a need for distinguishing the colours. I will say again that the buses that are owned by the school bus companies will not be prohibited from operating on charters during the off season. They will be required to cover up their school bus signs as they do now and the lights would not be used; they would be covered as well. They will be permitted to be used, but we will not permit the yellow and black buses to be taken out of use and put into some other service. They must be painted over; they cannot retain that colour. That will be exclusively for the school buses.

I think, Mr. Speaker, I will terminate my remarks on that and we will perhaps do more as we go into committee.

Motion agreed to; second reading of the bill.

Hon. Mr. Rhodes: Mr. Speaker, I would like it to go to the committee of the whole House, please.

Mr. Speaker: Do you want to take it right now?

Hon. Mr. Rhodes: I would like it to go at this time.

Clerk of the House: The fifth order, House in committee of the whole.

HIGHWAY TRAFFIC ACT

House in committee on Bill 177, An Act to amend the Highway Traffic Act.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Chairman, I would hope we might be able to move along rather quickly on this. The first amendment will be to section 1, subsection 2.

Mr. Chairman: The member for Wentworth.

On section 1:

Mr. I. Deans (Wentworth): This may have been answered, I am sorry—I may have missed it, I had to go out for a moment. One of the diffculties we have had is on something called a warning strip.

Hon. Mr. Rhodes: Median.

Mr. Deans: Median, yes. In a number of municipalities there is a strip of pavement separating the lanes in either direction. It's generally corrugated in nature.

Hon. Mr. Rhodes: Rumble strip.

Mr. Deans: Rumble strip; it's a warning strip. There have been a number of questions raised about that. There have been convictions, in fact, for people passing school buses that were stopped where that rumble strip, as you call it, was in effect. One was in the area of Highway 20 and Highway 8 in Stoney Creek in my riding. Another was, I think, in the area of Clappisons Corners, but I am not positive about that one.

It is still a little vague. It says, "by a physical barrier." Well, a physical barrier; is that intended to mean something you can't get over?

Hon. Mr. Rhodes: Right.

Mr. Deans: Okay. Or an unpaved strip of ground? But if there's a paved section there, then that doesn't constitute a—

Hon. Mr. Rhodes: It would not be classed as a median as it's defined in the Act. The median strip definition that we have would be that of a physical barrier which would make it impossible under ordinary circumstances for you to get through. There are those who've tried, but they don't make it. And the other is the unpaved divided area on the highway.

Mr. Deans: Okay. Let me describe something to you. There's a situation at the intersection of Highway 20 and Highway 8 where there is a wide, what you would call, physical barrier at the intersection. It then carries on beyond the intersection to become a rumble strip. A person coming along there, when he gets to the intersection, would automatically assume that that was a continuation of the existing physical barrier, only lower—it's perhaps six inches in height in the centre. It causes some considerable difficulty for people driving there because they're never sure whether they're supposed to stop for school buses going in the opposite direction or whether they're not.

I wrote to the ministry about this very problem three or four years ago because of a conviction that occurred, providing not only the circumstances but a sort of diagram, of how the intersection happened to be developed. I'd like to suggest to you that the legislation, even though it is changed, doesn't yet adequately cover that. A person going into court, were he to be charged by an officer—which he could well be—would have serious difficulty in trying to prove his point.

Let's say the bus pulled around the corner and then stopped about 20 ft around the corner at the intersection, they would be in that sort of never-never land between the barrier and the rumble strip.

Mr. D. W. Ewen (Wentworth North): That's 30 miles an hour.

Mr. Deans: Well, it may be 30 miles an hour there now, but there are other places farther down the highway where the same situation prevails. I'm not sure it properly defines what you're talking about. It's not always 30 miles an hour.

Hon. Mr. Rhodes: Mr. Chairman, I think that the only comment I could make is that a rumble strip only serves its purpose; it's there to warn drivers when they drive on it that they're getting off their own side of the road. It's not a median as such.

Perhaps we should take a look and see if we can be a little more specific in the definition of "median". We feel that as it is now, will handle it; experience may make us have to change it. I would hope that that would be acceptable.

Mr. Chairman: Shall section 1 carry?

Hon. Mr. Rhodes: Mr. Chairman, it is on section 1, subsection 2, that I have an amendment.

Mr. Chairman: Section 1, subsection 2?

Hon. Mr. Rhodes moves that paragraph 15(c) as set out in subsection 2 of section 1 of the bill be amended by inserting after "motor" in the second line, "which is driven by electricity or."

Hon. Mr. Rhodes: The reasoning for that, Mr. Chairman, is that we have since learned that there are motor-assisted bicycles with electric motors, so we want to include those as well.

Motion agreed to.

Mr. Chairman: Is section 1 as amended carried?

Section 1, as amended, agreed to.

Mr. Chairman: Does any member have any comments or amendments prior to section 20 of the bill?

Hon. Mr. Rhodes: Mr. Chairman—

Mr. Chairman: The hon. member for Lakeshore first.

Mr. P. D. Lawlor (Lakeshore): Section 3.

Mr. Chairman: Section 3.

Hon. Mr. Rhodes: I have an amendment to section 2.

Mr. Chairman: The minister has an amendment to section 2.

On section 2:

Hon. Mr. Rhodes moves that the bill be amended by adding thereto the following section, that subsection 1 of section 9 of the said Act, as amended by Statutes of Ontario, 1974, chapter 66, section 5, is further amended by adding "or" at the end of clause (c), by striking out "or" at the end of clause (d), and by striking out clause (e), and that the remaining sections be renumbered accordingly.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I wonder if the minister would be good enough to advise us as to what that says since, of course, we don't have copies of the original statute in front of us. Perhaps he could advise us as to the intent of that amendment.

Hon. Mr. Rhodes: I was rather hoping this might slip by, Mr. Chairman, because it is a bit embarrassing. You will recall that about a year ago, or less, there was some error in the legislation which failed to make it a requirement to put a sticker—a red sticker at the time, a green one this year—on the licence plate. A drafting error was made in the amendment that was brought in to require that they be put on the licence plates. As a result, we ended up with a penalty—well, for example, the section says:

> In the form and manner prescribed by the regulations evidence of the validation of the permit, where the permit for the motor vehicle has been validated the general penalty provision of the Act applies, namely a minimum fine of $20 and a maximum fine of $100.

When we amended the Act we created a similar offence by adding clause (e) to section 9(1). As a result, we now have two penalties. We thought it was redundant and that we should remove one to leave the general penalty and not the one of $50 to $500.

Mr. Breithaupt: I won't make any comments that will embarrass you.

Hon. Mr. Rhodes: Thank you very much.

Mr. J. E. Stokes (Thunder Bay): Yes, if you don't tell anybody, we won't.

Section 2, as amended, agreed to.

Mr. Chairman: Has any member any comments on section 3?

On section 3:

Mr. Lawlor: For my general education, I suppose, I would like to ask about proposed section 15(b). I suppose it applies to people who have their licence suspended in this province and go to another province, apparently to obtain a permit to drive elsewhere, then come back to Toronto and drive with the extraprovincial licence. Is that common? I didn't even know it was possible.

My recollection in the case of certain clientele is they tried to do that trick but they were totally unsuccessful. The other province asked for the production of their Ontario licence; and on their being unable to do so, or it being marked in a certain way, simply refused the issuance of that provincial licence.

Hon. Mr. Rhodes: Mr. Chairman, what can happen, of course—and the purpose of this is to make sure that it does not occur—is that a person can go to another province—the provinces of Quebec and Manitoba are the likely locations—and apply for an original licence as an unlicensed driver, receive a licence by passing the test of either of those two provinces and come back into Ontario with a very valid Quebec or Manitoba driver's licence. So it is not a question of having to produce your old Ontario licence; you merely go in and apply as a new driver, take the test and get the licence.

Mr. Lawlor: Well, I can't help very much here, I agree, but that of course is fraudulent misrepresentation which would be subject to criminal penalties if they so did, because every application form has certain questions making disclosure necessary.

Mr. Chairman: The member for Kitchener.

Mr. Breithaupt: Does the minister have any intention of possibly employing the use of social insurance numbers on applications for drivers' licences, which would at least allow a fairly immediate check with adjoining provinces where it was suspected that some driving offence had occurred and therefore that the person may have had a driver's licence suspended in an adjoining province or elsewhere and against which person there may be some serious infractions recorded as to that person's driving ability?

Hon. Mr. Rhodes: No, Mr. Chairman, we haven't looked at the possibility of using that number. It is something that can be looked at, but to the best of my knowledge that hasn't been considered.

Mr. Breithaupt: Well, at least that number would avoid any duplication in source records. And since most of us, whether it's from income tax or through various other areas, are now all related to that one consistent number, this might be a valid view of driver-licence applications. So that, too, could be referred into a common source of information as to an individual, which appears to be accepted generally now by the people of Canada.

Section 3 agreed to.

On section 4:

Mr. Chairman: Section 4. Would it be out of order if the Chairman asked a question on section 4? Are you on section 4?

Mr. Deans: Section 5.

Mr. Chairman: Would it be out of order?

Mr. Lawlor: It is unheard of.

Mr. Chairman: Would you agree to it?

Mr. Deans: It would be; but we are always out of order—so go ahead.

Mr. N. G. Leluk (Humber): It is out of order, but do it.

Mr. Chairman: I would like to ask the minister on section 4: Does it mean that a person 14 years of age could get a licence, say, to operate a motorbike on the highway?

Hon. Mr. Rhodes: No, Mr. Chairman, it does not. It does not require a licence under this Act to operate a motor-assisted bicycle, as it is defined. You are referring to the driving of a motorcycle?

Mr. Chairman: No, a motorbike.

Hon. Mr. Rhodes: You do not need a driver's licence to operate a motor-assisted bicycle, as defined in this Act. A person under the age of 14 would not be permitted to operate them. A person over 14 would be, but would not require a licence.

Mr. Chairman: The question I want to ask is: What can they operate on the highway at 14 years of age?

Hon. Mr. Rhodes: At 14 years of age they can now operate a motor-assisted bicycle. And they can also operate a 10-speed bicycle, which goes faster than the motor-assisted bicycle.

Mr. Leluk: Not necessarily.

Section 4 agreed to.

On section 5:

Mr. Chairman: What section of the bill does the member for Wentworth wish to speak on?

Mr. Deans: Section 5.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: May I just, with your usual great grace and compunction, Mr. Chairman, say my final word with respect to this particular section?

I think, as a lawyer who has watched the courts for many years, that arbitrary across-the-board legislation which binds everybody in an overall way, is purblind, narrow and stupid. Every case which comes before the judiciary—and the direction of justice must be in the direction of humanity—always has surrounding it and included within it certain mitigating circumstances. They ought to be given grounds of presentation. The intelligence of the courtroom should operate that way.

To set up arbitrary barriers, limitations and categories, such as has been done here, seems to me the very reverse of the notion of justice, the notion of law. It's easy to do. It's simple-minded; it's blockheaded. I suppose, purblindedly and backwardly, it achieves its purpose—although I question that very severely. If the minister thinks that with a three-month penalty he is in any way going to foreclose on the possibility of traffic deaths, then it seems to me that he's badly mistaken in his estimate of what human beings are up to and what they think about.

You do have to have a penalty; and the penalty should be invoked in the overwhelming majority of cases. Nevertheless, there are circumstances, there are special cases. There are pleas that might and should be made, in the interests of decency, that you're foreclosing in this particular bill.

To invoke, as this member here does, a victimization of certain people being placed in a bad situation, a great wrong having been done, a child killed, and then over against that, to say that we must use the mechanisms of the law to punish somebody else in order somehow to make up the balance in some remote and strange way, that is a parcel of the retributive mind.

I don't know what people are thinking about when they think in these terms of mathematical equivalence, or some kind of factor system that you can balance off lives. You can't do it that way. Everyone regrets that circumstance, but that has nothing to do with the actual case before the courts with respect to this very man's case. To mitigating circumstances, such as they may be, he gets no presentation under this and under your law as it presently stands. I consider that stupid.

Mr. Deans: Before you answer I want to say—

Hon. Mr. Rhodes: You fellows go ahead and debate—

Mr. Deans: —I think it is a privilege and not a right. If a person is made fully aware of the consequences of his actions and insists on following through with those actions then he has to be prepared to face the law. I understand my colleague's position. It's difficult for lawyers. I appreciate that. I'm not a lawyer, thank God, at this point. I might have liked to have been a lawyer but I'm not.

Hon. Mr. Rhodes: Aren't you glad?

Mr. Deans: I listened to what you said earlier about this being a more stringent application of the law than the previous law, though it doesn't appear that way. I think you are right; it probably is.

Mr. Stokes: Would you believe that both had dinner tonight and never mentioned this bill?

Hon. Mr. Rhodes: They ate at different places.

Mr. Deans: I still feel that if a person, given the opportunity and given the knowledge of the law, is prepared to take the chance, notwithstanding whether he kills someone or not, then he has got to appreciate that he will not be able to drive in the Province of Ontario for a specific length of time. I'm of the view that if a person were to be convicted more than once, he ought not to drive at all. I feel quite strongly about it. I think that if a person is caught twice it may be just his bad luck that it's only twice in his whole life that he has got drunk and driven, but I suspect that isn't the case.

Mr. Lawlor: Can you hear the pibroch of John Knox in the night?

Mr. Deans: If a person is unfortunate enough to get caught twice, it is probably because he drives in that condition quite frequently. He is a hazard on the road.

These aren't the only people who should be taken off the road. I'm telling you, Mr. Chairman, that as far as I'm concerned there are a lot of other people who are not capable of driving on the highway and shouldn't be on the highway because they are a danger to themselves. They may well be able to make the choice to be a danger to themselves, but they shouldn't be able to make a choice of whether or not they should be a danger to other people who may be quite unsuspecting.

I say to you that if a person were to be convicted twice in a year, he should certainly lose his licence for life. There should be no justice, as my colleague talks about. If it were to be twice in five years, maybe the suspension should be a year or longer.

I feel quite strongly about it. Beyond that, let me just say here what I would say on section 9. I want to suggest to you that the licence should be removed in the court. It shouldn't be left in abeyance or in a state of limbo as it currently is.

Mr. Lawlor: It is, under the legislation.

Mr. Deans: No, it isn't always.

Hon. Mr. Rhodes: It is.

Mr. Deans: Quite frequently, a person is informed that he has been convicted and then has to await the notice from the Ministry of Trannsportation and Communications.

Mr. Lawlor: No, they take it away from him right in court.

Mr. Deans: Where does it say that? I was looking for it and couldn't find it.

Mr. Chairman: Let's deal with section 5 and then we'll move to 9.

Mr. Deans: Show me where it says that, will you?

Mr. Chairman: Let us deal with section 5.

Hon. Mr. Rhodes: I just want to make one comment on section 5, and this will be my last comment. The member for Lakeshore for some reason wants to impose upon this Act the penalty for impaired driving or drunken driving or dangerous driving. There is no penalty in this Act that deals with any of these sections.

The leniency of the court can well be found when the trial is held under the charge under the Criminal Code. If the good judge who hears the case before him convicts upon the evidence submitted to him on the charge under the Criminal Code, as a result of that conviction in respect of the leniency that he did not receive at the hands of the judge, the Highway Traffic Act simply says that upon conviction—as the warning says—of the offence and the circumstances indicated therein, his driver's licence shall be forthwith suspended. The leniency will be in the court either to convict him or let him go. You either convict or you don't convict on the basis of the evidence, and the judge can be lenient.

Mr. R. S. Smith (Nipissing): He can't be lenient on a conviction.

Mr. M. Cassidy (Ottawa Centre): You may lose convictions on that basis, then.

Hon. Mr. Rhodes: What you are telling me then is, there is no leniency in the Criminal Code at all.

Mr. Lawlor: Mr. Chairman, I can't let that pass. It is a misrepresentation, actually, in most instances, if I may say so. Let's get the first thing clear here, by the way. A driving-with-ability-impaired charge is not the same thing at all by a damn sight as driving while intoxicated or drunken driving. There are quite different standards. On most standards a fellow who is impaired is quite disintoxicated. We wouldn't think he was necessarily intoxicated at all, but he reaches that .08 on the Richter scale, and by George the earthquake has happened. That's No. 1.

No. 2—the penalty is not written in, in that sense. But the penalty that this Act, in fact if not in law—and in law too, because it's in legislation—inflicts upon these individuals can be far more devastating than anything the court would dream of giving the individual in question. The fact that his licence is under suspension, his livelihood is down the drain and his family is in dire circumstances because of that, is the thing that strikes me; and there may be good grounds for his making some kind of compassionate or other kind of appeal in the circumstances.

There may be mitigating circumstances. There very often are. For the minister to cut that off, a priori, right from the word go in terms of his legislation, seems to me a purblind move to say the least.

I've wanted the legislation for a long time made more humane, made more flexible. I would even go the other direction and give the judge the power to inflict a hardship penalty; maybe suspension for life depending upon the unmitigating circumstances of the case. I think there should be a swap here. But to set up a minimal term, the minister may as well make it two years; three months

is all he needs to be thrown out of where he is so that his livelihood is lost.

What is he supposed to do for those three months? The minister makes no provision for these possibilities at all. The circumstances may be the most superficial and minor in the world. The consequences that flow from that particular infraction might have been neither here nor there. Nevertheless, he has to bear the full penalty along with somebody who has been very venal indeed in the circumstances that were found in that other case. We have to leave room in law, and if we don't that law is stupid.

Mr. Chairman: Shall section 5 carry?

Sections 5 and 6 agreed to.

Mr. Chairman: Anything before section 20?

Hon. Mr. Rhodes: Mr. Chairman, I would move an amendment to section 12.

Sections 7 to 11, inclusive, agreed to.

On section 12:

Hon. Mr. Rhodes moves that section 12 of the bill be amended by adding thereto the following subsection:

"Section 49 of the said Act is amended by adding thereto the following subsection: 1(a)—Subsection 1 does not apply to a motor-assisted bicycle with an attached motor which is driven by electricity."

Mr. Lawlor: I am sure glad he did that.

Hon. Mr. Rhodes: Aren't you though? I didn't want the member picked up on his way to work on his electric bicycle.

Mr. Lawlor: Smoke marijuana on your little electric-driven bike and you have had it.

Mr. Chairman: You've heard the minister's amendment to section 21; is there any comment? Shall the amendment carry?

Section 12, as amended, agreed to.

Mr. Chairman: Any other section before section 20?

Sections 13 to 20, inclusive, agreed to.

Mr. Chairman: Does any member have any comments or amendments to any other section of the bill?

Hon. Mr. Rhodes: Mr. Chairman, I would like to move an amendment to section 28.

Sections 21 to 27, inclusive, agreed to.

Hon. Mr. Rhodes moves that subsection 1 of section 120 of the Act, as set out in subsection 1 of section 28 of the bill, be amended by striking out "motor vehicle designed for carrying eight or more passengers and," in the first and second lines; and inserting in lieu thereof the word "bus."

Mr. Chairman: You have heard the minister's amendment to section 28 of the bill.

Mr. D. M. Deacon (York Centre): Does that cover a three-seat station wagon?

Mr. Chairman: Does the member for York Centre have any comments?

Mr. Deans: Could we have the definition of "bus" read out, since we don't know what the definition is in the original Act?

Mr. Chairman: The member for York Centre first.

Mr. Deacon: I just wanted to find out if it included a three-seater station wagon; which has a capacity of nine, I would think.

Hon. Mr. Rhodes: What we are hoping to do is to have this applied to buses, and actually a bus is defined as a vehicle that carries 10 passengers. It is intended that this would remove from the conditions of this Act those vehicles, such as cars or station wagons that are used in many cases in the outlying areas as small feeder-line buses, if you will, to take youngsters to a regular school bus. We do not want to impose upon these smaller vehicles the need to have the requirements as laid out in the Act.

Mr. Deans: Oh, I am sorry. Are you telling me, then, that station wagons used for school-bus purposes are not to be regulated under this Act?

Hon. Mr. Rhodes: No, I am simply saying that we do not want to define them as they were defined in section 28. The definition of a bus is, "a bus means a motor vehicle designed for carrying 10 or more passengers and used for the transportation of persons." That would be the application within section 28.

Mr. Deans: Well I have got to understand what you are doing and I don't. I know of a number of school buses, for transporting crippled children in particular, that are of a station-wagon nature. They hold, I don't know, eight—

Mr. Deacon: Eight or nine.

Mr. Deans: —crippled children, I guess, or nine. They are sort of three-seat affairs. Are they not required to have "Do not pass when signals flashing" signs on them? Are they not required to have two red signal lights in the rear and two red signal lights in the front? Are they not required to be painted yellow with black lettering?

Hon. Mr. Rhodes: That is correct.

Interjections by hon. members.

Mr. Deacon: You would make them impractical to operate.

Mr. Deans: Why are you doing that? You are going to have to deal with those somewhere; you are surely going to have to deal with them someplace. There are a number of school jurisdictions that I can think of that use station wagons, and they travel—

Mr. B. Newman (Windsor-Walkerville): Retarded children use a lot of them.

Mr. Deans: Retarded children, crippled children.

Mr. Breithaupt: But you are not loading and off-loading along the road.

Mr. Deans: You most certainly are. You have to stop at the side of the highway in order to pick them up.

I want to know whether they are going to be regulated in some way, because the thing about having this whole section is that it has some handle on the safety of the bus. It means that the buses are going to be easily identified, that hopefully people will be more careful when they are in the area of a school bus. If you can run one of these other little station wagons loaded with crippled kids as a school bus, and not have to put on it that that's what it is really used for, then I think you are going in a backward direction.

Hon. Mr. Rhodes: There is a major problem here, and that is that a great many youngsters are being transported to schools for retarded children and schools for crippled children and ordinary taxis are doing the job. They are paid for by a local service club, and they drive around the community and pick them up and take them. What we were hoping to do was to—

Mr. Breithaupt: They are not loading on the streets.

Hon. Mr. Rhodes: That's right. These vehicles will have the word "school bus" on the front of them. That will be on them. But what we are saying is we are not—

Mr. Deans: Why? Where does it say that it will have that on those?

Hon. Mr. Rhodes: They are required to have that on now, I think, as a contract. They are not required under the Act because it is not being defined as a bus. Anything less than 10 passengers we do not wish to define as a bus.

Many of these will pull off the highway themselves, turn in driveways, and are not making the long-haul, multi-stop sort of pick-up and delivery to a school. We were concerned at the time when we had these included, and there was some considerable discussion about it.

Mr. Deans: Okay. Let me just say to you that I used to own a little station-wagon affair—what was it called? A club wagon, like a Volkswagen bus. It carried eight people or nine people, I guess. I see them being used frequently for school-bus purposes.

Hon. Mr. Rhodes: You described it, though, as a bus.

Mr. Deans: No, it's not, it's called a club wagon. I see them frequently being used for the purpose of transporting children to and from school.

Hon. Mr. Rhodes: If it will carry 10 or more passengers it is a bus within the definition of the Act.

Mr. Deans: It is set up to carry nine—three and three and three.

Hon. Mr. Rhodes: Then it is not a bus; then it is not within the definition of a bus in the Act.

Section 28, as amended, agreed to.

Mr. Chairman: Any other section of the Act, any other comment, or amendment?

Mr. Lawlor: Section 31.

Hon. Mr. Rhodes: I have an amendment to section 31 which I thought the hon. member for Lakeshore might be interested in.

Mr. Lawlor: Have you? Well, you may be improving.

Mr. Chairman: What section?

Hon. Mr. Rhodes: I think my amendment, Mr. Chairman, will satisfy him.

Mr. Chairman: Okay.

Mr. Lawlor: I doubt it.

Hon. Mr. Rhodes: Or come close.

Sections 29 and 30 agreed to.

On section 31:

Hon. Mr. Rhodes moves that subsection 1 of section 135 of the Act as set out in section 31 of the bill be amended by striking out 'in the opinion of the minister," in the first line; by striking out "the minister may declare," in the 12th and 13th lines; by striking out "or any part thereof to be invalid by notice sent by registered mail to the clerk of the municipality and such bylaw or part thereof," in the 13th, 14th and 15th lines; and by striking out "21 days after the sending of the notice," in the 16th and 17th lines.

Mr. Chairman: Do members want to comment on section 31?

Mr. Lawlor: Are we going to work all night or am I going to get time to think about this?

Hon. Mr. Rhodes: Can we come back tomorrow morning or tomorrow afternoon?

Mr. Breithaupt: Is it the view of the House leader that we would finish this bill this evening?

An hon. member: Oh no.

Mr. Breithaupt: Or what do you have in mind? We are agreed to it if you wish.

Mr. Deans: I just want to ask you one question.

Mr. Lawlor: It will take another half hour at least.

Mr. Deans: It will take a little while. Could I ask one question about what I just raised with the minister; I realize it's passed—

Mr. Chairman: If it's now in the bill, why you are not entitled to ask another question.

Mr. Deans: Well, we are not going to finish the bill, but we'll talk afterwards.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

Mr. J. R. Breithaupt (Kitchener): I was just going to ask, Mr. Speaker, since we have now more or less completed the list of legislation, other than the completion of committee stage for this bill and proceeding with Bill 191, the Ontario Lottery Corp., perhaps we could hear from the government House leader as to what he is proposing to do later on. Will, for example, Bill 195, a further Act to amend the Highway Traffic Act, follow along the present bill we have been discussing this evening?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, tomorrow we will proceed to the conclusion of the bill presently before us; and then we will proceed immediately to Bill 195, to be followed by Bill 191 and Bill 182.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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No. 172

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Tuesday, February 4, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 4, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, I should like to introduce to you and to the members of this Legislature some students from Glenview Senior Public School. They are accompanied by their teacher, Mrs. Pritchard, and also by two parents, Mrs. Bradshaw and Mrs. Leemy.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I wish to introduce to the Legislature a group of students from Woodland Senior Public School in Thornhill and hope they will be welcomed to the Legislature.

Mr. Speaker: I am sure that all hon. members will join me in welcoming in the Speaker's gallery the 1974-1975 parliamentary interns from the National Assembly of the Province of Quebec. These interns are in Toronto for the balance of this week and will be meeting with a number of members to discuss parliamentary affairs in Ontario. I wish to thank those members who have agreed to meet with them and know that all hon. members will join me in welcoming them here this afternoon.

Statements by the ministry.

ATHABASCA TAR SANDS

Hon. W. G. Davis (Premier): Mr. Speaker, I wonder if I could seek the indulgence of the House in case there are any questions related to a certain meeting in Winnipeg yesterday? If we could agree now, we will revert to ministerial statements at 5 o'clock, when I expect to be able to make a statement to the members of the House. If any members have questions about those meetings yesterday, I just can't answer any prior to that hour.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, could we ask if there would then be the opportunity perhaps to have some interchange of questions at that point should they become necessary?

Hon. Mr. Davis: Mr. Speaker, if you in your wisdom decide to cut short the question period at this time by five minutes, I wouldn't object strenuously to five minutes of questions afterwards.

Mr. S. Lewis (Scarborough West): No.

Mr. R. F. Nixon (Leader of the Opposition): We could even add five minutes on.

Mr. Lewis: Mr. Speaker, I think there should be either a significant reduction in the question period, because we're not going to let the Premier off with five minutes, or a significant extension when the time comes. But we need, I think, sir, a guarantee that we can have a serious exchange about this.

Mr. Speaker: Can we agree on maybe 30 minutes at this time and 15 minutes at that time?

Mr. Lewis: Oh, no.

Mr. Speaker: We might even agree to extending it, if that's not enough.

Mr. Breithaupt: Might I suggest, Mr. Speaker, that we proceed with the question period in the normal form at this point and that the House, because of this most important problem, allow whatever time is necessary at that point to deal with this?

Mr. R. F. Nixon: I am sure unanimous consent would be forthcoming.

Hon. A. Grossman (Provincial Secretary for Resources Development): That's what we call a quid pro quo.

Mr. Lewis: I think that's a fair give and take myself.

Mr. Speaker: There seems to be agreement that we can revert to statements and, if necessary, questions at that time. Do I understand that it's a normal period at this time then?

Agreed.

Mr. Speaker: The Minister of Health.

DOCTORS' FEE SCHEDULE

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I am very pleased indeed that the

Ontario Medical Association council, in reflecting the wishes of its members, announced last night that it will honour the agreement entered into last year—

Mr. Lewis: Not all its members.

Hon. Mr. Miller: —providing a four per cent increase in the fee schedule, effective May 1, 1975. I am grateful for and encouraged by the responsible attitude displayed by the medical profession in Ontario.

Mr. Lewis: There was, the minister will notice, no voluntary cut.

Mr. Speaker: Oral questions.

Order please; the hon. Leader of the Opposition, an oral question.

IMMIGRATION POLICY

Mr. R. F. Nixon: Mr. Speaker, I would like to ask the Premier, in the absence of the Minister of Culture and Recreation (Mr. Welch), if he has had any communication with the government in Canada over a request for the view of this government on immigration policy? Is the Premier aware that in his absence yesterday on important provincial business, a green paper on immigration policy was made public in Ottawa with the request that the provinces express their views? In this connection, can the Premier indicate that there would either be a debate on this matter in the House, or perhaps through some other facility, so that the community interested in it can express their views to a committee of this House?

Hon. Mr. Davis: Mr. Speaker, I haven't discussed this with the minister. I think I am right in this, that there was a communcation from the Prime Minister of Canada talking about some form of study related to the demographics of Canada, which I assume means the question of location of growth and what have you, that I think might have been related—and I can only say this—to whatever paper was tabled yesterday. I just looked at this very early this morning and we're in the process of replying to it.

I think the federal government is asking for provincial representation as it relates to this kind of study. There were, I believe, two or three suggestions in the telegram. I will explore this further, discuss it with the minister and have a more detailed reply for the member on Thursday. I think probably the two are related, but I can't say this without further checking.

Mr. R. F. Nixon: Supplementary: Since this province is affected probably more than any other area of Canada by federal policy—and evidently four basic alternatives have been put forward for discussion—and since apparently the government of Canada has requested the formal views of the government of Ontario, I'm simply asking that there be an opportunity to discuss it in this House, or even better, an opportunity through a committee of this House to seek the views of our community.

An hon. member: Human resources.

Hon. Mr. Davis: Mr. Speaker, as I say, I received this fairly lengthy Telex from the Prime Minister. I can't say that the two are definitely related. I haven't seen the report from yesterday. I'll certainly discuss it with the minister and see what in fact the federal government is suggesting and whether it is asking for our views. The Telex I saw really was referring to the involvement of the provinces in some continuing study of two or three matters. They may or may not be related, but I'll find out.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: A supplementary: Has the Premier planned on a major submission from the Ontario government, knowing that the paper on immigration was coming down, a submission which could form the basis of a debate here or follow a debate here?

Hon. Mr. Davis: Mr. Speaker, I don't believe we were planning on any formal submission in that sense of the word—certainly not until the study had been completed. Certainly, from our standpoint, perhaps a discussion here in the House might be worthwhile; I just don't know when it would usefully take place, but I don't reject the idea.

Mr. Speaker: The Leader of the Opposition?

TAX REDUCTIONS FOR NORTHERN ONTARIO

Mr. R. F. Nixon: A question of the Treasurer, Mr. Speaker.

Has the Treasurer examined the recommendations from the president of the Northeastern Ontario Municipalities Action Group? Actually, the gentleman's name is Rene Piche. He is the mayor of Kapuskasing, and I think he has other responsibilities in the north as well. His recommendations call on the prov-

ince to bring down in the budget for the next fiscal year, some relief for citizens living in the north by way of an income tax credit, a reduction in the sales tax from seven to five per cent north of the French River; and the possibility of a reduction in gasoline tax as well.

Hon. W. D. McKeough (Treasurer, Minister of Intergovernmental Affairs): No, I haven't, Mr. Speaker.

Mr. R. F. Nixon: Supplementary: Is the minister able to say to the House that it is getting consideration from his colleagues, the Minister of Northern Affairs, the Minister of Revenue, and his other colleagues, so that the people of the north might expect this relief by way of equalizing the cost of living?

Hon. Mr. McKeough: Mr. Speaker, I am certainly able to say that this matter is being given every consideration.

Mr. A. J. Roy (Ottawa East): We can't hear the minister.

Mr. Lewis: The minister is so subdued he is inaudible. Let's at least hear from the new Treasurer.

Mr. R. F. Nixon: Sounds like the old Treasurer at a lower level.

Mr. R. S. Smith (Nipissing): They can't hear that in Kapuskasing.

Mr. Speaker: Any further questions?

CLOSING OF BURWASH CORRECTIONAL CENTRE

Mr. R. F. Nixon: I want to ask of the Minister of Government Services if he has any further statement to make to the House on the utilization of the facilities at Burwash, as discussed some weeks ago and which were an item of considerable interest in the news reports just a day or two ago?

Further, can he give some comment to this House and the interested citizens in the north on the report that the economic impact on the community was not discussed in any way by cabinet before the decision was made to close it up and turn over the facilities to the gentle treatment of the hon. minister?

Hon. J. W. Snow (Minister of Government Services): Well, the short answer to both questions, I think, Mr. Speaker, is no.

Mr. R. F. Nixon: A supplementary: What about this stuff about renting the land out to local farmers, if any? What about the prospects of a northern tourist development? What about the prospect of a golf course? That was one of the proposals. It sounded sort of like a revised Maple Mountain. We thought perhaps the minister was cranking that back into the machine.

Hon. Mr. Snow: Mr. Speaker, obviously we have got to get into longer answers.

We are, Mr. Speaker, giving serious consideration to all the proposals that have been made to the government regarding the Burwash facilities. Certainly, one of the areas that is receiving very serious consideration is the agricultural possibilities for the land and also the tourist possibilities, and the many other suggestions that have been made.

These are all being considered, but my short answer of "no," in the first place, meant that I was not able to report any firm decisions on those at this time. My second short answer of "no" meant that I would not comment as to the discussions at cabinet, as that would not be appropriate.

Mr. Speaker: Supplementary; the member for Ottawa East.

Mr. Roy: Mr. Speaker, a supplementary of the same minister.

Is there any basis for the comment made by one individual that when the government left Burwash it left all the potatoes out in the field—potatoes to feed 1,000 people? And, if this is so, what was the hurry to get out of there? Does the minister not think that was a bit irresponsible in light of the cost of food and vegetables in this province?

Hon. Mr. Snow: Mr. Speaker, I am not aware that there were any potatoes in the field. To my knowledge the general farming operation ceased at Burwash a few years ago. There certainly has been no cattle operation there; whether the institution carried on a garden, I can't say. But Burwash was closed as of the end of December, and my ministry accepted responsibility for it about 30 days ago. I am sure if there were any potatoes there when we took it over, they are well frozen by now.

Mr. Speaker: The member for Sudbury has a supplementary?

Mr. M. C. Germa (Sudbury): Mr. Speaker, does the minister not have a meeting scheduled with the Ministry of Health regarding the utilization of this facility?

Hon. Mr. Snow: No meeting is scheduled that I'm aware of, Mr. Speaker.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Hon. Mr. Snow: I should say I have several meetings scheduled regarding the facility, but none with the Minister of Health.

Mr. Speaker: The Leader of the Opposition? The member for Scarborough West then.

ASBESTOS PROBLEM AT CANADIAN JOHNS-MANVILLE PLANT

Mr. Lewis: I have a question of the Minister of Health, if I could ask one. Has the ocupational health branch of his ministry brought to the minister's attention the recent testing they did for asbestos particles at the Johns-Manville plant in Scarborough? Perhaps that's where I should start. Has it been brought to his attention?

Hon. Mr. Miller: Mr. Speaker, I don't recall specific tests of a specific plant being brought to my attention. Several months ago, we were discussing cancer of the lung through asbestos, and certain principles were brought to my attention but not details in specific plants.

Mr. Lewis: By way of a supplementary, if testing was done by the occupational health branch of the Ministry of Health and it showed that levels were significantly above the threshold limits both recommended by his ministry and established by the Ministry of Labour, would that not normally find its way to the minister, since the lives of the workers are involved?

Hon. Mr. Miller: Mr. Speaker, with that lead-in I almost feel that the member for Scarborough West knows something that I don't.

Mr. Lewis: I do, but I'm not telling the minister.

Mr. Roy: That is not unusual.

Hon. Mr. Miller: It is not in the member for Scarborough West's case but it is in the case of the member for Ottawa East.

Mr. Lewis: I don't swath myself in velvet garb.

Mrs. M. Campbell (St. George): Why is the member blushing?

Mr. Roy: I won't give the member the name of my tailor.

Mr. Lewis: I don't want the name of the member for Ottawa East's tailor.

Hon. Mr. Miller: Mr. Speaker, I admit to the fact that I think I am generally aware of such things in my ministry; I like to think the staff would inform we when there's a problem. If I haven't been brought up-to-date, I would like to know about it.

Mr. Lewis: I will tell the minister later today.

Mr. Speaker: Are there any further questions?

Mr. Lewis: May I ask the Minister of Labour, Mr. Speaker, has the industrial safety branch of his ministry informed him of the accelerating asbestos problems at the Canadian Johns-Manville plant in Scarborough and, if so, what is being done?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, earlier the member referred to recent reports. Now, I can't think of any recent report that I have seen or that has been brought to my attention. There were some, some months ago, in connection with it. The member is speaking of within the last few months, is he?

Mr. Lewis: I am speaking of within the last six to eight weeks.

Hon. Mr. MacBeth: No, I don't recall anything as recently as that, Mr. Speaker. The procedure would be if they were beyond the standards that we provide for, some follow-up would be given to it. I'll make an inquiry into it.

But I don't know whether we would report back to the Minister of Health in regard to it. We take on the responsibility of enforcing those standards; I think it's up to us to make sure that they are carried out. So I'll make some inquiries. Maybe we should report back to the Minister of Health, who sets the standards. I'll speak to my colleague in regard to that as well, sir.

Mr. Speaker: Are there any further questions?

Mr. Lewis: Not on that subject, Mr. Speaker.

Mr. M. Shulman (High Park): A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary; the member for High Park.

Mr. Shulman: Does the ministry inform Workmen's Compensation Board of these studies relating to asbestos?

Hon. Mr. MacBeth: No, I don't think we have any direct procedure for informing them. I think the Compensation Board has all the information we get. But the member asks, do we have a direct procedure that everything that goes through our office goes on to the board? I don't think it does, sir. But certainly there's nothing that we have that the board could not get. I know that there is a continuing liaison between us, but whether we have any procedure for automatically sending all our reports on to the board, I would doubt it.

Mr. Shulman: A supplementary.

Mr. Speaker: One more supplementary.

Mr. Shulman: In view of the fact that the board has been turning down compensation cases from Johns-Manville with cancer of the lung — who have asbestos bodies found in their lungs — and the board apparently believes that there is no relation between asbestos bodies in the lung and cancer, will the minister inform it of his recent findings so that we can get these archaic people brought up to date?

Hon. Mr. MacBeth: Mr. Speaker, I don't think there is anything archaic about the medical people in the Workmen's Compensation Board.

Mr. Shulman: No? The director.

Mr. Lewis: We'll see, at the board hearings this afternoon.

Hon. Mr. MacBeth: They are at present before the standing committee of the House, and there are doctors there who are prepared to answer. If there is any information that we have that will be of assistance to the members, certainly we will be glad to provide it, but I reject the suggestion that the medical officers on the staff of the Workmen's Compensation Board, or the independent people who they refer to, are in any way archaic or not up to date.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: I'll ask this as a separate question, Mr. Speaker, since you wouldn't allow me a supplementary.

Do I take it then that the minister himself is not at this time involved in anything serious around occupational health safety at Johns-Manville, either by reference from his ministry's industrial safety branch or from the Workmen's Compensation Board? At the moment he is not personally seized with that as minister. Is that correct?

Hon. Mr. MacBeth: Personally seized? No, I'm not aware of anything personally at the present time, but there is much work that goes on in my ministry every day that doesn't necessarily involve me personally. I certainly don't know of every check that they make on various industrial plants across this province.

CATHOLIC CHILDREN'S AID SOCIETY

Mr. Lewis: Mr. Speaker, again a question of the Minister of Labour. The minister knows that the conciliation in the dispute between the workers at the Catholic Children's Aid Society and the society in Metropolitan Toronto broke down last Thursday. Can he make a report to the House now, considering the way in which service is suffering at the society?

Hon. Mr. MacBeth: Mr. Speaker, we are in touch with the matter. As my colleague suggested, it did break down last Thursday. We understood there was only the matter of union security separating them, but when they returned to the bargaining table we found there were one or two other things as well and they were not able to come to any agreement. We are in touch and hope to arrange meetings again shortly, although there isn't one scheduled at the present time, to my knowledge.

DENTAL CARE

Mr. Lewis: A question of the Minister of Health.

Is it the minister's intention to respond in any formal way to the proposal for dental care provided to him by the Ontario Dental Association, particularly in relation to the cost factors and the initiation of the plan for those under six years of age? How does he view the cost factors in their proposal, by the way?

Hon. Mr. Miller: Mr. Speaker, let me answer the first part first.

At my request, back in March the Ontario Dental Association and ministry representatives started working out the mechanics of any potential dental health plan. The material presented by the ODA a week or so ago was pretty well the kind of plan that they worked out on the assumption that there

might be a governmental dental plan some day.

They started that work knowing full well that this might not be a fact for some period of time, but so that at least we would have some understanding as to the manpower available, the most important groups to be worked upon, the methods of payment and so on. About three months ago we agreed that the work had gone as far as it should go, until such time as the government in its wisdom decided that the plan was necessary.

Mr. Roy: Like before the election in 1975.

Mr. Speaker: Order, please.

Hon. Mr. Miller: We don't have to depend upon such ploys—

Mr. Roy: That is what they are doing. Admit it.

Mr. Speaker: Order, please. The minister is answering the question of the leader of the New Democratic Party.

Mr. Lewis: Such cynicism!

Hon. Mr. Davis: Yes, cynicism.

Mr. R. F. Nixon: How can anybody get cynical around here?

Interjections by hon. members.

Hon. Mr. Miller: —or even hospitals in Atikokan.

Mr. W. Ferrier (Cochrane South): Right before the election—the very day before.

Mr. R. F. Nixon: We used to believe in the big blue machine and now we know that is just a façade. We can't believe in anything.

Hon. Mr. Miller: I have totally lost track of what I was trying to say.

Mr. Roy: The minister should sit down while he is ahead.

Hon. Mr. Miller: The fact is we have looked at certain cost implications in terms of taking the three-year-old to six-year-old age group, which seemed to be the most profitable group to work on first, and extending the coverage as they grew up. It seems to me that the figures I saw months ago were relatively modest in that range. They were in the $20 million-a-year range, which is modest for a plan, by my ministry's standards.

Mr. Roy: It's very modest compared with the health plan.

Hon. Mr. Miller: The figures were in that order, but the total cost of a plan for all people escalated very quickly to at least $250 million and perhaps to $500 million. Those implications were in it.

Mr. Lewis: The government will find that much for Syncrude to bail out Imperial Oil. God forbid, they should find it for a dental plan.

Hon. Mr. Miller: There are lots of other things. There are dental programmes going on, as the member knows, through the health units. We have fluoridation programmes in many cities; and just within the last week I heard dentists saying what a dramatic difference that by itself has made in the total demand of the young group for dental care. No one item, I say with great respect to the member for Sandwich-Riverside (Mr. Burr), no one other item seems to have as much impact upon the state of dental health as fluoridation does at this point in time.

Mr. Speaker: Any further questions?

Mr. T. P. Reid (Rainy River): Supplementary.

Mr. R. F. Nixon: As with seatbelts, the government is not going to do anything about it?

Hon. Mr. Miller: We're doing a lot about it.

Mr. Speaker: The member for Rainy River with a supplementary.

Mr. Reid: Thank you, Mr. Speaker. I'd like to ask the minister, related to dental care, if he is aware of the survey that was taken by the northwestern health unit? It indicated that children in the younger ages in that area have more cavities and more problems with teeth than anyone else in the province, due mainly to the lack of dentists in that area. In light of this, is the government considering any programme to expand dental care in northwestern Ontario?

Hon. Mr. Miller: Mr. Speaker, I am not aware of that specific study. I am aware that the percentage of young people with dental caries is very high, even in the city of Toronto. I think some 32 per cent of the children, or some factor like that, have untreated cavities. I can quite appreciate that in fact the problems in the northern areas will be great because of the many instances of the lack of natural fluorides in the water in those areas.

Mr. R. F. Nixon: A lot of natural mercury up there though.

Hon. Mr. Miller: I can't answer the last part of the member's question.

Mr. Speaker: The member for Ottawa East.

Mr. Roy: Supplementary, Mr. Speaker, to the minister's statement: Has he changed his position today to what it was in August or September when he made a statement, at the meeting of the ministers of health, in which he said that dental care in Ontario was not a high priority item? How does that coincide with the proposal from the ODA, which has set its target date for 1975?

Hon. Mr. Miller: Mr. Speaker, those words were used by me in a context and therefore—

Mr. Roy: The minister didn't mean them.

Hon. Mr. Miller: I don't imply I was misquoted or anything else. I have to set priorities and until such time as there is a dental plan one has to assume it hasn't reached the top of the list, that's all.

Mr. Roy: I will bet the election changes the minister's priorities.

Hon. Mr. Miller: Well it may even change the membership in this House, including that of the hon. member.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Cochrane South.

HEALTH AND SAFETY STANDARDS IN ONTARIO MINES

Mr. Ferrier: My question is of the Minister of Natural Resources. Will the minister make himself aware of the brief submitted to the Ham commission by the United Steelworkers of America local of the Reeves mine of Canadian Johns-Manville, which raised major complaints about serious dust problems in their dust control system; to the effect that trucks are windowless, and those that do have doors are wired shut; that loaders are without brakes; and that ramps in the open pit—there are two now—are without proper guardrails?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, I want to assure the member opposite that we have some senior members of our ministry at every one of these hearing of the Ham commission. Certainly that particular report, along with other reports that have been tabled with that commission, will be checked into very carefully.

Mr. Ferrier: Well as a supplementary, Mr. Speaker, what has the ministry's mine inspection branch been doing to allow these deplorable conditions to exist? Will the minister order a full inspection of the mines to make sure that corrective measures are taken when there are obvious violations of the Mining Act and worker safety is greatly imperilled, such as in that situation right now?

Mr. F. Laughren (Nickel Belt): It is the same story all across northern Ontario.

Hon. Mr. Bernier: I am certainly not prepared to make any particular comments until I have a chance to look at the report and to compare it, of course, with the conditions the member has pointed out.

Mr. Speaker: The hon. member for York Centre.

TORONTO AIRPORT FACILITIES

Mr. Deacon: A question of the Premier: In view of the growing concern of the people of this province, and I hope of this government, about the consequences, the serious consequences, of the major growth emphasis adjacent to Metro Toronto, will the Premier urge the federal government to reject any expansion of facilities at Malton and to choose a location for the new airport well away from the Metropolitan Toronto region?

Mr. Lewis: We don't need a new airport.

Interjections by hon. members.

Hon. Mr. Davis: Quite obviously the member for York Centre has come to the conclusion there is a need for a second international airport. I am delighted—

Mr. Lewis: Now that's interesting.

Mr. Deacon: I accept it.

Hon. Mr. Davis: —to hear the member is officially in support of it.

Mr. Roy: What's the Premier's position?

Hon. Mr. Davis: I can only say that as it relates to the first part of the question, my position—

Mr. J. F. Foulds (Port Arthur): What about Spadina?

Hon. Mr. Davis: —and I do confess here some degree of responsibility, as the member

for Peel North—is that I have never been enthusiastic about a major expansion at Malton. While this has not been discussed since the commission report has come in, I can only say that it remains my point of view.

Mr. Deacon: The Premier should answer the question about growth against Toronto.

Mr. Speaker: Supplementary?

Mr. Deacon: The Premier hasn't answered the question: What is his view about emphasis on growth around Toronto, such as the Pickering airport? Will the Premier urge a location right away from the city?

Hon. Mr. Davis: Mr. Speaker, this bill has made it very clear that we are concerned about growth in and around Metropolitan Toronto. We are doing something about it with respect to the TCR and other studies.

Mr. Roy: That isn't obvious.

Interjections by hon. members.

Hon. Mr. Davis: The people opposite aren't at all committed. They are not interested and are totally contradictory in everything where it has something to do with respect to Toronto area development.

Interjections by hon. members.

Hon. Mr. Davis: Yes they are.

An hon. member: We are not.

Hon. Mr. Davis: Yes they are, Mr. Speaker.

Mr. Speaker: Order please.

An hon. member: What is the Premier doing about it?

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: I have no idea what he said, but he is right!

Mr. Speaker: Order please. The member for Sandwich-Riverside had the floor a moment ago. Is he deferring to the member for Thunder Bay? Fine.

Interjections by hon. members.

Mr. R. F. Nixon: The biggest sewer pipe in the world, and he is proud of it.

Mr. Speaker: Order please. We are awaiting a question from the member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): I have a question of the provincial Treasurer.

PROVINCIAL INDUSTRIAL AND LAND USE STRATEGY

Mr. Stokes: When can the people in the Province of Ontario expect the unveiling of an overall industrial strategy for the Province of Ontario, so that the people in northwestern Ontario can compete with the kind of development that is anticipated in North Pickering and Haldimand-Norfolk? And when are we going to get the unveiling of the overall strategic land-use plan for the Province of Ontario that was promised last fall by the minister's predecessor?

Hon. Mr. McKeough: Mr. Speaker, in response to the second part of the question, I would simply say in the fullness of time.

Mr. Roy: Before the election in 1975.

Hon. Mr. McKeough: In response to the first part of the question, I would simply say that a plan setting out a design for development of northwestern Ontario, has been in place for some three or four years. It sets certain targets and certain goals and objectives for that part of Ontario. My understanding is that those goals and objectives are not only being met, they are being exceeded. In fact, our record in northwestern Ontario is a darn good record—and the member knows that.

Mr. R. F. Nixon: The minister is just not communicating.

Mr. Speaker: Order please. The member for Nipissing.

Mr. Stokes: Supplementary.

Mr. Roy: Supplementary.

Mr. R. S. Smith: I have a question for—

Mr. Speaker: This is a supplementary?

Interjections by hon. members.

Mr. Speaker: Order please. The member for Thunder Bay with his supplementary first,

Mr. Stokes: Thank you.

Mr. E. M. Havrot (Timiskaming): The member for Thunder Bay has egg on his face.

Mr. Stokes: Mr. Speaker, I am well aware of the progress that has been made in northern Ontario with regard to the design for development; as a matter of fact, I defended it during the past week.

What I want to know is: With the kind of determinations being made in northwestern

Ontario with regard to the implementation of a design for development and the implementation of a strategic land-use plan, to what extent are we going to be able to go forward with those plans in the absence of an overall industrial strategy that mitigates against the kind of development we want in the north and the kind of strategic land-use plan that we are developing in the north? How is that going to blend with the aspirations of the rest of the province if we don't have an industrial strategy or an overall land-use plan?

Hon. Mr. McKeough: I am very tempted, Mr. Speaker, to ask my friend to put that question on the order paper. But I would think that in the absence of an overall provincial plan, which will be here in the fullness of time, in a conceptual stage only—

Mr. Lewis: No, I don't think so. It is his own overall plan.

Interjections by hon. members.

Mr. Lewis: Conceptual only? The former Treasurer (Mr. White) promised us a full plan.

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. McKeough: I would simply say this, that as long as we have in the government of Ontario, in the cabinet of Ontario, members such as the member for Kenora (Mr. Bernier), my friend from Fort William (Mr. Jessiman) and others—

Mr. Stokes: What else?

Mr. Lewis: There are not many Tories up there now.

Interjections by hon. members.

Hon. Mr. McKeough: —who continually tell us about what northwestern Ontario needs and wants—

Interjections by hon. members.

Mr. Lewis: That's better. That is more the minister's style.

Mr. Stokes: They want us to blend in oil.

Hon. Mr. McKeough: —that is the greatest checkmark that we can have. We propose to improve on those checkmarks and make sure the northwestern Ontario gets more than its fair share—

Mr. R. F. Nixon: That is real communication.

Hon. Mr. McKeough: —as it has been getting now, and will continue to get.

Mr. Lewis: Let's have a little red apoplexy.

Mr. Breithaupt: Sounds like the Shouldice wing.

Hon. Mr. Grossman: The member was nearly identified.

Mr. Speaker: Order please. The member for Nipissing with a supplementary, I understand.

Interjections by hon. members.

Mr. R. S. Smith: Mr. Speaker, I have a supplementary.

Interjections by hon. members.

Hon. Mr. McKeough: It is the usual reaction of the New Democratic Party.

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Speaker: Order please. The interjection was out of order. The minister is out of order too. The member for Nipissing has the floor for a supplementary.

Mr. R. S. Smith: Mr. Speaker, I have a supplementary: Would the minister inform me when the same plan for northeastern Ontario is to be brought forward, since it has been promised since the minister was previously Treasurer some 2½ years ago?

Interjection by an hon. member.

Hon. Mr. McKeough: Mr. Speaker, that's a very good question. I was to have had a meeting at 8:30 this morning to update myself on that particular point. Since we arrived back a little bit later than we had anticipated last night, that meeting was cancelled.

I am somewhat perplexed about that. When I left my present portfolio some 2½ years ago, that plan was nearly ready. The problem is, and I say this to the leader—

Mr. R. F. Nixon: Oh, things went very badly in those years.

Hon. J. White (Minister without Portfolio): Just cut it out.

Mr. D. C. MacDonald (York South): The former Treasurer is crying.

Hon. Mr. McKeough: I say to my friend, the leader of the New Democratic Party, that some of this provincial planning has been held up for the last couple of years because my successor was so much farther to the right than I am.

Mr. R. F. Nixon: He is really being very gracious.

Mr. Foulds: Supplementary.

Mr. Speaker: The member for Nipissing.

Mr. R. S. Smith: Supplementary: Is the minister indicating that the former Treasurer completely ignored northeastern Ontario for 2½ years?

Mr. Ferrier: Yes, that is what he is saying.

Mr. Speaker: Order, please. Order, please. The Minister of the Environment has the answer to a question asked previously.

Mr. Lewis: I don't believe it. That was a pretty impressive plan.

Hon. W. Newman (Minister of the Environment): In response to the question asked by the hon. member—

Mr. Lewis: Does the minister remember the observation, drowning increases near bodies of water?

Mr. Speaker: Order, please.

AIR POLLUTION IN SUDBURY

Hon. W. Newman: In response to the question asked by the hon. member for Sudbury East (Mr. Martel) last Thursday concerning the ministerial order on the International Nickel Co. I wish to advise the hon. member that my ministry at the present time has not received any request or granted any extension to amending control order issued on Jan. 2, 1973, to be finalized in 1978. In fact, Mr. Speaker, I am advised that the company is meeting the interim requirements of the ministerial order.

Mr. Speaker: The member for Ottawa East with a question.

ROSS SHOULDICE

Mr. Roy: Mr. Speaker, my question is of the Attorney General and deals with the correspondence exchange by Mr. Shouldice with Mr. Kelly and other people within the government: Was the minister rightly quoted when he said that there is no basis on which to lay criminal charges? And if he was correctly quoted, could he tell us the background of his coming to that particular decision?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, when anything such as the Shouldice matter is brought to the attention of my officials, they look at it and see if there has in fact been any breach of any statute. This was no exception. They scrutinized section 110 of the Criminal Code which really is framed in the basis of conspiracy. It indicates —and I am paraphrasing it, probably incorrectly—it's something to the effect that if an inducement or an enticement or something of this nature is held out—

Mr. R. F. Nixon: Like $30,000.

Hon. Mr. Clement: —to procure the election of an individual or a party, then that is an indictable offence. Because it is couched in a conspiracy-setting, philosophically, there has to be more than one person involved. And there's absolutely no evidence—in fact, a complete denial by the person to whom that epistle was apparently addressed that he received it. And therefore there is no indication that any offence has been committed.

A second matter pertaining to the same thing which was also drawn to my attention is that the letter was dated some time in November, 1971, and therefore it could not affect the outcome of the general election of October, the preceding month. Those are the two matters that were brought to my attention.

Mr. R. F. Nixon: So what was he raising money for at that time?

Mr. Roy: Supplementary.

Mr. Speaker: One supplementary.

Mr. Roy: One supplementary to the minister in his response: Is the minister saying that section 110, subsection 2 only applies during an election campaign? Secondly, Mr. Speaker, is the minister saying that in his opinion there was no attempt here to commit an offence? If you look at the attempt, an offence doesn't have to be committed. Surely the letter of Nov. 23, 1971, totally indicates attempt.

Mr. Speaker: The question has been asked.

Hon. Mr. Clement: We were just conveying to the members of this House the opinion of my law officers. They say there's no evidence with which to proceed under section 110, arising out of that letter the member refers to.

Mr. Speaker: We'll allow one supplementary from the hon. member for Sarnia because he indicated his intention.

Mr. J. E. Bullbrook (Sarnia): Would the minister make available to members of the House the opinion received from the law officers?

Hon. Mr. Clement: I have that opinion, in the form of an oral opinion conveyed to me by the deputy minister. If the member wishes it reduced into writing, I think probably it might be of some advantage to him. I have no hesitation in bringing it forth.

Mr. Speaker: The hon. member for Sandwich-Riverside.

URANIUM COMPOUNDS IN DENTURES

Mr. F. A. Burr (Sandwich-Riverside): I have a question of the Minister of Health, Mr. Speaker, regarding the use of uranium compounds in dentures. Is the minister aware of a recent report from the National Radiological Protection Board in the United Kingdom that three out of four British dentists are now using a porcelain that contains uranium, when they prescribe or when they make up artificial dentures or crowns, and that the board considers there is a risk of overexposure to radioactivity?

Hon. Mr. Miller: I must admit, Mr. Speaker, that I was unaware of those facts.

Mr. M. Cassidy (Ottawa Centre): Oh, shame!

Mr. Burr: Could the minister inquire whether this kind of compound is in use in Ontario? Thank you.

Mr. Speaker: The hon. member for Rainy River.

MERCURY POLLUTION

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Minister of Natural Resources, if I could get his attention. In view of the publicity attendant on the CBC programme in regard to mercury in the English River system and the programme last fall and of ministry officials coming down, can he report to the House any progress in regard to any programmes he has come up with to assist the native people so affected? Can he give us an up-to-date account of how the mercury is affecting their health in that area?

Hon. Mr. Bernier: Mr. Speaker, I can point out to the hon. member that we did extract from the major timber licensee in that particular area substantial timber limits for the Whitedog and the Grassy Narrows reserves. I believe they were allowed to cut up to 3,000 cords of timber per year, and I believe they've cut up to about 600. We have also made realignments with regard to our trapline possibilities and have made more traplines available to them in both areas. Here again, I understand they didn't use the total quota that was allocated to them.

In addition to this, as I've mentioned on previous occasions in this House we embarked on some extensive regeneration programmes where employment was made available to the members of the Whitedog and the Grassy Narrows Indian reserves. In fact, we've made contact with Chief Roy McDonald of Whitedog and Mr. Andrew Keewatin, who is the chief of Grassy Narrows. They are coming to Toronto in the next short period to discuss further steps that may be taken by this government. I may say on this point that just last Thursday I had the occasion to meet with Judd Buchanan and discuss a number of issues. This is one issue which we touched on briefly. He is most anxious to co-operate in any way he can, but it is a very complex and a very difficult situation.

With regard to the health of the Indian people per se, it's my understanding that health tests are continuing with the adults, the senior citizens and with the newborn children in the immediate area. To date I know of no direct effect that can be related to mercury contamination in any of the individuals who have been tested.

Mr. Speaker: The hon. member for High Park.

HAMILTON HARBOUR INVESTIGATION

Mr. Shulman: I have a question of the Attorney General, Mr. Speaker. Is it correct that it has been determined to charge a very prominent individual who has not yet been charged in the Hamilton Harbour scandal? If that decision has been made in the minister's department, why has there been a delay in laying the charges?

Hon. Mr. Clement: Mr. Speaker, I would like to know what the member means by a "very prominent citizen."

Mr. I. Deans (Wentworth): He said "individual," not "citizen."

Hon. Mr. Clement: As the hon. member knows, there were certain matters, which I think went to preliminary hearing in Hamilton about two months ago. I further believe that the matter is coming on for trial this week. That is the only comment that I am prepared to make at this time. As the matter unfolds, then I think the hon. member will be able to satisfy himself as to whether any additional party or parties are about to be charged.

Mr. Shulman: A supplementary: Can I get a straight yes or no? Is the minister going to charge additional people this week?

Hon. Mr. Clement: I am not prepared to advise this House what we are prepared to do.

Mr. Speaker: The member for Beaches-Woodbine.

VIOLENCE IN SCHOOLS

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, I have a question of the Minister of Education.

I noted a suggestion today that the root causes of the problem at Castle Frank High School in Toronto are the result of provincial ceilings, and I wonder if the minister would have any comment on that suggestion.

Mr. Lewis: Ah ha! So the ceilings cause violence now!

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I noticed that quotation in the front page of the Toronto Sun this morning; it was attributed to one of the members of the Ontario Secondary School Teachers Federation, Toronto chapter. She was reported as saying that provincial spending ceilings were responsible for growing violence in Toronto schools and that classes over the past four years have grown to sizes larger than anyone could consider ideal.

In answer to the member's question, Mr. Speaker, the best thing I can do is to tell him that in September, 1972, there were 58 staff members at Castle Frank with an enrolment of 832 and a pupil-teacher ratio of 14.3.

Mr. Havrot: How about that!

Hon. Mr. Wells: On Sept. 30, 1974, there were 66 members of the staff, a decreased enrolment of 821 and a pupil-teacher ratio of 12.4. Therefore, I think the statement concerning class sizes is inaccurate. I think the problems that are underlined by the occasion of this incident at Castle Frank bear careful scrutiny by all of us. The answer to this kind of situation, the eruption of violence from time to time in our classrooms, is not one that can be answered easily and it is not one than can be answered by suggesting more use of corporal punishment in the schools.

Mr. Speaker: The member for Huron.

DEVELOPMENT OF FORMER AIR BASE

Mr. J. Riddell (Huron): Mr. Speaker, a question of the Minister of the Environment.

Could the minister explain the reason that his ministry officials have placed a freeze on further development of Varnastra, which is a phased-out air base just outside Clinton, in Huron county, particularly when the government initially encouraged development of the base and particularly when lots had been purchased for building purposes and the purchasers now find that they can't build houses on those lots?

Hon. W. Newman: Mr. Speaker, I don't know about that specific case, but I would assume that it is because the facilities in the area are taxed to capacity or committed at this point in time. I would be glad to look into it and get further information, but I assume that the facilities would be committed to their full capacity now, either by present plans or by plans in the works.

Mr. Speaker: The member for Thunder Bay.

MOBILE DENTAL CAR

Mr. Stokes: A question of the Minister of Health.

Will the Minister of Health undertake to see that the mobile dental car which is currently at Moosonee is dispatched to the unorganized community of Upsala in northwestern Ontario, which hasn't seen a dentist in five years?

Hon. Mr. Miller: Mr. Speaker, I will be glad to look into that.

Mr. Speaker: The member for Essex-Kent.

OVERTAXING OF AUTOMOBILES

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, a question of the Minister of Revenue.

Is the minister aware of the overtaxing of automobiles resulting from the rebate instigated by the big four auto companies, and is

he considering the refund of the seven per cent sales tax on the amount of the rebate to the consumer?

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, I am not aware of the problem which the hon. member raises. If he would like to give me some particulars, I would be glad to look into it.

Mr. Speaker: The member for High Park.

LIQUOR LICENCE ACT

Mr. Shulman: Mr. Speaker, a question of the Minister of Consumer and Commercial Relations.

When is the minister going to produce his wonderful new liquor bill, which his predecessor promised that he was introducing in March, 1973, and October, 1973; he promised it for introduction in March, 1974, and October, 1974; and which in his last speech he said would be introduced in the second week of December, 1974? When will the minister give his first prognostication?

Mr. Stokes: Next week.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): Mr. Speaker, I refuse to be drawn into making prognostications. All I can say is that we are studying a revision of liquor legislation regulations, and in the fullness of time we will be presenting them to this House.

Mr. Cassidy: It will be well distilled. Is that it?

Mr. Speaker: The member for Sarnia.

CUT IN MINISTERS' SALARIES

Mr. Bullbrook: I have a question of the Minister of Revenue. In connection with that significant anti-inflationary thrust of the government in giving money back to the Treasury, could he advise whether a gift to the Crown is a taxable exemption and whether, therefore, the ministers will get the benefit of at least 50 per cent of the donation to the Treasury with respect to their federal income tax?

Mr. Roy: That's a tough one.

Hon. Mr. Grossman: The member should ask his leader. He would know the answer.

Hon. Mr. Meen: I think I would rather not try to answer that at the moment, Mr. Speaker. As I understand it the full amount would be deductible for purposes of income tax as a gift to the Crown, but I think it would be appropriate for me to get a more complete answer for the hon. member.

Mr. J. A. Renwick (Riverdale): Why?

Mr. Bullbrook: By way of a supplementary, I am right then in assuming that when the Chairman of the Management Board (Mr. Winkler) characterized it as an anti-inflationary thrust he was only half right?

Hon. Mr. Meen: I don't think that's correct at all, Mr. Speaker. I think he is 100 per cent right.

Mr. Lewis: I don't understand this. If it's tax deductible, I might want to change my mind.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: The member for Sandwich-Riverside.

ESSEX COUNTY BUILDING

Mr. Burr: Mr. Speaker, I have a question of the Attorney General with regard to the provincial jail in Windsor. Has the minister explored the advantage of acquiring the soon-to-be-vacated Essex county administrative offices and council chambers with a view to considering some expansion, alteration and renovation of the provincial jail in Windsor?

Hon. Mr. Clement: Mr. Speaker, the jail system does not come under this ministry. I did receive an oral report from one of my officials a week or so ago but I forget what reference was made to the Windsor administration building that I think the member refers to along with three or four others in the province. Perhaps I can take his question as notice and get back to him, because I don't recall in detail what the gist of that discussion was.

Mr. Speaker: The oral question period has expired.

Mr. P. Taylor (Carleton East): A question of privilege, Mr. Speaker.

Mr. Speaker: A question of privilege.

Mr. P. Taylor: Mr. Speaker, I hope that you will agree with me that the rights and privileges of this House have been violated by members of the fourth estate by virtue of their using ineligible players today who did humble the members of this House 11 to 6

in a game of hockey. I hope that you won't mind if we say out loud and publicly that we sorely missed the presence and the talent of the member for Kingston and the Islands (Mr. Apps).

Mr. Speaker: I noticed that the member used the word "sorely."

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): That comes later.

Mr. Speaker: We welcome the gladiators back from the arena.

Petitions.

Clerk of the House: The following petition has been received:

Of Mr. Stokes, the member for Thunder Bay, and signed by more than 500 petitioners, praying that a realignment be made of the corrective programme with respect to the highway from Schreiber to two miles east of Schreiber on Highway 17.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

Hon. Mr. Winkler moves that Mr. Turner and Mr. Ewen be added to the administration of justice committee and that Hon. Mr. MacBeth be removed therefrom.

Motion agreed to.

Mr. R. F. Nixon: That's a fair balance.

Mr. Roy: It takes two guys to replace the hon. Minister of Labour.

Mr. Speaker: Introduction of bills.

Orders of the day.

Clerk of the House: The third order, House in committee of the whole.

HIGHWAY TRAFFIC ACT

House in committee on Bill 177, An Act to amend the Highway Traffic Act.

Mr. Chairman: When we finished last night we were debating the minister's amendment to section 31. The hon. member for Lakeshore.

On section 31:

Mr. P. D. Lawlor (Lakeshore): Yes, we were given an amendment to this section which, confessedly, did go some distance to removing an objection which I had prepared to the section. It does make somewhat better sense than it did previously, but not all that much more sense in removing one type of ministerial discretion. What's happening, Mr. Chairman, is that the bylaw would be passed by the municipality regulating a whole host of things, including prohibiting or regulating the operation of motor vehicles, and would go into effect; except it wouldn't go into effect if it were inconsistent with or in contravention of the Highway Traffic Act.

In this case ministerial approval is necessary for that particular bylaw. But the minister interposed himself to an even greater extent, and I suppose the reason behind it was that if by some inadvertence or oversight the bylaw got through the ministry and then subsequently it was discovered to be inconsistent with the Highway Traffic Act generally applicable in the province, so that we would have a peculiar law in a very specific municipality, the minister could come along afterwards.

Does this really obviate the difficulty, though? So far as the local municipality is concerned it's the law; the bylaw is as much a law as any other statute of the Queen and has the full impact. Suppose they initiate a prosecution under that bylaw as it stands? Albeit it has your approval, but it has gone into effect nevertheless. Is it up to some bright-eyed lawyer to appear to point out to the court that there is an inconsistency between the statute as it stands and the bylaw as it is being sought to be enforced in that courtroom? Doesn't that difficulty still remain? What are the minister's thoughts on this?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Chairman, one of the concerns that I had when I looked at this particular section was the fact that while we were saying at the outset that we wished to put the responsibility, and properly so, in the hands of the municipal councils for the passing of bylaws, the Act as it was prior to amendment seemed still to have the authority remaining with the minister to determine in fact whether or not the bylaw should remain in effect.

The reason I feel we have to continue to say the bylaw would be considered invalid if it were inconsistent with the Act is in order to prevent municipalities from being able to pass bylaws that were totally opposed to the rules of the road as they are considered throughout this whole province.

Under the Municipal Act, municipalities have the right to pass bylaws of various

kinds. Our concern would be that—and I will use what I agree are very hypothetical possibilities—for example, without this sort of condition in the Act, a municipality could conceivably decide that within its community you are required to drive on the left-hand side of the road, or that you are permitted to travel through an intersection on a red light and stop on green. This is the sort of thing; as I say, it's completely hypothetical.

Being a little more realistic, you will note that in the Act we are saying that the municipalities may pass speed bylaws, but they cannot be less than 25 mph or more than 60 without the approval of the minister. The reason, of course, for wanting this particular section as is, is to prevent a municipality from passing a bylaw without permission, saying that the speed limit is 10 mph, and having someone convicted for exceeding the speed limit and conceivably losing points for that conviction when it comes back through the process down here.

So really, in its simplest terms it is to make sure that we have some way of noting them. By submitting the bylaws to us for perusal—not that we would necessarily change them—we simply want to be sure that the bylaws are consistent with the Act and that they are not going to cause a problem for the citizens not only of that community but from other parts of the province who may be visiting within that community.

Mr. Lawlor: I quite agree with what you are trying to do and I think it is very sensible. In other words, there's a range of bylaws of such importance that you feel that the ministry ought to approve of them before they become enforceable in law. That's fine. There is another range of bylaws passed by municipalities which fall into these designations here which have effect, which are valid law from the time that they pass them, though not necessarily with your approval. If previously this type of bylaw required the approval of the ministry, then if that sort of bylaw is inconsistent with the Act it's no longer valid.

My problem is, who is to test that? Where is that to be found? I don't want to reduce the argument to absurdity, as the minister did, but suppose they said you had to stop 3 ft back from a stop sign or something like that, or set up some distances with respect to red lights or something of that kind, and then they went ahead and laid charges against an individual for failure to do so, wouldn't they probably go zip right through the court, the judge, the conviction elicited, the whole thing and the man fined; and subsequently probably, find out that they had no power or right to do that as it was inconsistent with the clear terms of the legislation itself, that is the Act?

Hon. Mr. Rhodes: Mr. Chairman, I think that was in our mind as well. What we had originally tried to do prior to the amendment was that we were requiring the municipalities to forward their bylaws to us, as in section 1(a)—

Mr. Lawlor: Right.

Hon. Mr. Rhodes: —and we in turn were then going to notify the clerk within 21 days —I'm sorry, they had to file it with us and we were then going to notify the clerks if there was anything invalid about the bylaw.

We removed that condition that they must file it with us within this specific time by registered mail. We still would like them to send the bylaw to us so that we can peruse it. If it is inconsistent, then we will be able to go back to the municipality. Now I agree with you that charges could be laid.

Mr. Lawlor: In the meantime.

Hon. Mr. Rhodes: That's exactly correct.

Mr. Lawlor. That is what I am after.

Hon. Mr. Rhodes: You are exactly right. We agree with you that that could happen. However, there have been arguments put forth to me by municipalities in responding to the contents of this Act after first reading. They said: "Why don't you just remove all of these conditions completely, even sections 1(a) and 1(b), and we'll determine whether or not our bylaws are invalid or not and they will be tested duly in the courts."

I agree with you that there are many people who will be charged under various bylaws who never even questioned the validity of them. If the sign is up or the bylaw is there, they go in, pay their fine and that's the end of it. That problem is there. We are hoping that we can overcome it in some way by not taking too much of the big brother attitude on how they pass their bylaws, by getting away from that but still requesting them to file them with us so that our people will have an opportunity to look at them and then advise the municipality. I suggest most of them would like to have their bylaws valid and enforceable.

Mr. Lawlor: Mr. Minister, in order just to forfend as much as you can in a different situation here, in which I quite agree with

you, couldn't that time be pulled back just a little bit? An awful lot of charges can be laid in a 30-day period from the time that a bylaw goes into effect and begins to be enforced by the police of a municipality.

Wouldn't it be possible to say that within 15 days they must file the bylaw to give you an opportunity to get on to it? By the time it gets to the ministry, is filed and is perused, possibly a month and a half or even two months might go by before it's recognized.

Your staff is not wholly preoccupied with reading the fine print in bylaws, comparing them with the Act itself, and trying to sift out differences between the two. I would think that a municipality passing bylaws of this type, having been given that area of responsibility, wouldn't find it at all onerous through the clerk of the municipality to get the stuff in to you immediately: I call "immediately," within 15 days. Would you consider that possibility as not leaving all kinds of citizens open to infringements which may be point-losing and may involve their licences again, rather than to move in a direction that will do as much as you can, at least in your power, to forfend against that?

Hon. Mr. Rhodes: Mr. Chairman, I don't suppose it really matters whether it's 30 days or 15 days. I think the points being made by the hon. member are probably very valid.

I have some question in my mind about the reliability of Her Majesty's post office to do anything within 15 days, especially if some poor soul happens to be mailing this from Kenora or somewhere in the riding of the hon. member for Thunder Bay (Mr. Stokes). We can't count on the reliability of the mail, but perhaps 15 days will be adequate. I would hope that we don't jeopardize someone's licence by the fact that the rain and the hail and the sleet held up the mail for some reason. I won't object to a change of 15 days.

Mr. Lawlor: I think you would jeopardize their licence a good sight more by leaving it as you do.

Mr. Lawlor moves that the words "30 days" in the second last line of (1) be altered to "15."

Hon. Mr. Rhodes: Mr. Chairman, I would accept the amendment the hon. member is making.

Mr. Lawlor: Thank you, Mr. Chairman. I just have a question on (1b).

Mr. Chairman: I am waiting for a copy of the amendment.

Mr. Lawlor: Well, what are you so occupied with?

Mr. Chairman: Unfortunately, I don't take shorthand.

Mr. Lawlor: Oh, I see.

The question has to do with (1b). If I may, I'll give you the amendment in a moment, since the minister has accepted it. May I do that, Mr. Chairman?

Mr. Chairman: Yes, that will be fine.

Mr. Lawlor: This has reference to "highways designated as connecting links only." Why do you require prior approval in that? What's the kind of situation there?

Hon. Mr. Rhodes: Mr. Chairman, it is our opinion that that particular portion of the highway is still considered to be a provincial highway and that we want to retain some control over the consistency of the type of signing, the type of traffic light control that there would be on the connecting link as it relates to being a part of the provincial highway system within the municipalities; otherwise, we feel that should be entirely in their hands to pass any bylaws as relate to that.

Mr. Lawlor: Thank you.

Mr. Chairman: Does section 31—

Mr. Lawlor: As amended.

Mr. Chairman: —yes, as amended—form part of the bill?

Section 31, as amended, agreed to.

Sections 32 to 34, inclusive, agreed to.

Mr. Chairman: Does anyone have any comments on any other sections of the bill?

Mr. Lawlor: Just one question on section 35.

On section 35:

Mr. Lawlor: I have a case at the present moment, which I don't know the answer to, and I am going to seek free legal advice.

Suppose, as the law presently stands, an individual has been up on one of these multiple charges under the Criminal Code and he has been judged guilty, convicted and fined, but nothing is said by the bench whatsoever with respect to his licence. He walks out of the courtroom, climbs into his car and drives off, but is apprehended along the way by a police constable. Is he liable

to be charged with driving while his licence is under suspension?

In other words, as things presently stand, most people going into court don't know that this will flow from the fact of the conviction.

Most people believe that until they get a notice in the mail or delivered by the police that they believe they are still free to drive a motor vehicle. At the time it arrives at their home, either one way or the other—by registered mail or by police delivery—then, of course, they stop.

Very often their licence is picked up by the police officer, or they are told that they must send it in to the department.

But in that interim stretch of time, is it permissible for the police, as you understand it, to lay charges against people?

Hon. Mr. Rhodes: Mr. Chairman, as the hon. member knows, in the bill we have now brought back what used to be within the legislation, and that is the requirement of the provincial judge or the presiding judge to—

Mr. Lawlor: Take the licence.

Hon. Mr. Rhodes: First of all, to give the warning; the warning that upon conviction the licence will be suspended. There is also a requirement that he take the licence from the convicted person at the time. If the licence is not there, quite frankly the situation the member has described is correct. Where the driver of the automobile comes to court without his licence—and this has been a ploy in the past; it is hard to believe, but some have been advised by lawyers to leave their licences at home—

Mr. Lawlor: Oh no!

Hon. Mr. Rhodes: Then when they leave the courts, of course, the licence is never sent in or turned in until such time as it is picked up by the police officer if possible. So the situation the member has described is correct: If a person leaves the courtroom after conviction, then he will be considered to be driving while suspended. That is correct.

Section 35 agreed to.

Mr. Chairman: Any comments on any other section?

Sections 36 to 38, inclusive, agreed to.

Hon. Mr. Rhodes: Mr. Chairman, just one comment. I recognize that the member for Wentworth (Mr. Deans) is not present, but I would like to have this on the record. Last evening he indicated some concern about section 9, which deals with the mini-buses. To set his mind at ease—and mine, quite frankly—mini-buses, station wagons and all other forms of vehicles that are used, other than those we define as a bus, must be properly lighted and have signs on them. This is all provided for in the regulations of the Act. They must be properly signed when being used for this purpose.

Bill 177, as amended, reported.

Hon. Mr. Rhodes moves that the committee of the whole rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

HIGHWAY TRAFFIC ACT

Hon. Mr. Rhodes moves second reading of Bill 195, An Act to amend the Highway Traffic Act.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, basically we are prepared to support this bill. The amendment which will exempt trucks hauling milk from the previous load limit restriction is something we think is worthwhile.

One question was asked earlier concerning any proposals the minister may have with respect to the hauling of logs and other timber products. Perhaps he could advise us if that is being considered at the present time. The member for Nipissing (Mr. R. S. Smith) asked me to raise the point since he is down in the committee dealing with the Workmen's Compensation Board.

I have no other comments with respect to the bill, Mr. Speaker.

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, try as I may, and I have tried very hard overnight, I cannot find grounds for philosophic dissertation upon either the hauling of milk, the hauling of fuel or the hauling of livestock feed; and regrettably I find that we will accede to the legislation.

Mr. Speaker: The hon. minister.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I thank the hon. members for their complete accord on this bill. I recognize that the member for Lakeshore has spent considerable time looking for some way to contest the validity of it, and I appreciate his confidence.

Regarding the question of the logging trucks, in its simplest terms, no, we are not considering changing the Act as it relates to logging trucks. We think there are entirely different circumstances involved in moving logs and pulp in the northwestern and northeastern parts of the province, and we are not planning any changes there.

Mr. F. Young (Yorkview): Does the minister contemplate any great damage to the road surface?

Hon. Mr. Rhodes: Is the member referring to these two particular types of vehicles?

Mr. Young: Yes.

Hon. Mr. Rhodes: No, we don't think so. There may be some damage in certain areas, but we feel that because of the offsetting requirements of these two very important delivery services the effect of the damage will be minimal. There aren't that many of them and in many cases very short distances are involved.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. R. S. Smith (Nipissing): No. If I may, I would like to make some comment prior to third reading. I will be very brief.

Mr. Speaker: Well, the order is to place this bill for third reading; however, we will hear from the hon. member for Nipissing.

Mr. R. S. Smith: I'm sorry. I was just out of the House when this went through, but I had been waiting to speak on it.

I understand our House leader did question the minister in regard to the fact that some of us over on this side of the House feel that those trucks that are carrying logs in northern Ontario should have the same type of exemption as the milk carriers. I'm sure the minister understands this as well as I do, insofar as he represents an area in which, in those two months, this is very critical to the logging industry. The bringing in of the half-load season during that period is often the difference between whether operations continue or whether they close down.

In my area alone there are perhaps three mills, and particularly this year, when there is such a slump in the sale of lumber, there's no question that those logging operations and the mills which produce the lumber will be forced to close down because of the change in the regulations on the time of the year which provides for half loads.

I would ask if the minister could comment on this, because I am sure he's aware of the problems that face these operators in his area in the very same way they are affected in mine. I'm not opposed to those people who collect milk from the farmer being granted the provisions of this bill as they are, but I do feel some look should be taken at logging operations, which in that two-month period are so dependent on the provision of logs, which are virtually cut off by the half-load season.

Hon. Mr. Rhodes: Mr. Speaker, first of all, the loads we refer to in this particular bill, as I know the hon. member is aware, were for special vehicles, these milk tank trucks and the fuel tank trucks in particular, which we have found in some cases were overloaded without having any load on them at all. Logging trucks, as the hon. member knows, are capable of reducing their loads to what the requirements may be.

If he is looking, as I know he is, at the requirement of the supply of logs to various mills for operations—and I recall the problem we had last spring in his area—it is our opinion that those involved in logging operations, the operators of the mills, the operators in the cutting areas, the operators of the trucks, are aware, and have been for many years, of the half-loading restrictions that come into our part of the province on those particular roads.

There's no reason in the world why adequate hauling cannot take place prior to the two months, or whatever it may be of restriction to half-loads, and these logs can be hauled into the mills and stockpiled. So the shutting down of the mill, although these has been a tendency to blame that on the half-load restrictions, many times, in my personal opinion, the blame lies in mismanagement of the operation itself by the people running the mill for not having sufficient stock on hand.

The other portion, of course, is that these are much longer hauls. These are hauls upon many back roads that are, for all intents and purposes, primarily logging roads in some cases, and the logging trucks make up the majority of the traffic.

We have to be very, very careful regarding the excessive loads and the very heavy loads that can be carried by these logging trucks, because of the very considerable damage they do to the road. We do make concessions to the logging trucks as to the size of loads they can carry during half-load seasons. If I remember correctly, I think 110 per cent of their licence is permitted during the full-load season.

Mr. R. S. Smith: During freeze-ups; right now.

Hon. Mr. Rhodes: As well, the logging trucks are allowed to run, even right now in the late part of the evening. If the weather stays cold we allow them to run with a normal load even though the half-load restrictions are on.

Mr. R. S. Smith: No; oh, no.

Hon. Mr. Rhodes: I really believe in the case of the logging trucks, if there is a freeze-up in the area, in the evenings they are allowed to carry heavier loads. At least that's the information I received when I inquired into that particular matter.

But frankly, at this stage we are not prepared to reduce the half-load restrictions totally across the province for logging operations.

Mr. R. S. Smith: I would like to make a short comment, if I could, Mr. Speaker. It is the point that the minister makes that the logging operators, if they are operating properly, could have the logs at the site of their mill prior to the times pointed out in this bill.

I should say to you, Mr. Speaker, that the operations are still taking place in the bush and there is no way they could get the logs out until they have cut them. If the minister can get them out before they are cut, well he has some powers they don't have.

THIRD READINGS

The following bill was given third reading upon motion:

Bill 195, An Act to amend the Highway Traffic Act.

Hon. Mr. Rhodes moves third reading of Bill 177, An Act to amend the Highway Traffic Act.

Mr. A. J. Roy (Ottawa East): Mr. Speaker, may I make a few comments on Bill 177? Possibly the minister, with your approval Mr. Speaker and that of the members of the House, might answer one question for me. Is it the intention of the ministry, through this legislation, following conviction on one of the offences as set out in section 5 of the bill covering section 203, 204 and 219 of the Criminal Code or other offences—impaired driving and so on—is it the intention of the ministry, once a conviction has been registered, to ask the provincial judge, or the justice of the peace, whoever is presiding in court, to immediately take this individual's driver's licence?

Mr. Lawlor: Yes, it is a statutory offence.

Mr. Roy: I notice the minister has nodded agreement, Mr. Speaker, and I would like to make a few comments about that.

I am extremely disappointed, Mr. Speaker, that the—

Mr. Speaker: Order please. This is third reading of the bill; these points should have been discussed during the other two readings. Now we gave the member for Nipissing special permission because, unavoidably, he was not here for second reading.

Mr. Roy: Surely, Mr. Speaker—

Mr. Speaker: Order please. The principle of the bill was fully discussed, and then it went to committee of the whole House for clause by clause consideration, so the comments on third reading are just substantiating whether you are supporting or not supporting it. While we do not want too great an elaboration, if you wish to ask the minister a quick question, we will allow that in view of what has gone before.

Mr. Roy: Mr. Speaker, I apologize. I was not here on second reading or committee consideration of the bill. It is very difficult to know exactly when these bills are going to be called.

Mr. Speaker: That's a chance the member takes.

Mr. Roy: Oh yes, that is a chance, but I think there should be more discretion—

Mr. Speaker: I don't want to prolong the discussion—

Interjections by hon. members.

Mr. Speaker: Order please. If there is a matter of clarification, we will allow that.

Mr. Lawlor: We will have some special rules for the member for Ottawa East.

Mr. Roy: No, I don't want any special rules; but the way the House operates here is not exactly logical or cohesive.

Hon. Mr. Rhodes: The member shouldn't blame us for his absence.

Mr. Speaker: Sometimes it is difficult; but this is a third reading on this bill and these remarks are out of order. We have been through the two processes; both the principle and the clause-by-clause discussion have already gone through the House. If it is a point of clarification we will allow that, but not a prolonged discussion on any point or principle of the bill.

Mr. R. S. Smith: On a point of order, Mr. Speaker, I just want to make one thing plain. First of all, I was allowed to speak on third reading when I had allowed the bill to go past second reading and committee of the whole House.

Mr. Speaker: Yes, I understand.

Mr. R. S. Smith: And that's why I was allowed to speak; it wasn't a special privilege.

But I would also like to make the point that as far as I am concerned, and under the orders of the House, on third reading a member can say what he likes about the bill. He is not really curtailed to a short comment or something like that, because there are many bills on which we have had full discussion during third reading.

Mr. Speaker: I think the hon. member knows what I was saying. The principle has been decided and that is closed, the point-by-point discussion has taken place; so you really should summarize why you are for or against the bill on third reading. This has been the principle, I think, throughout my 10 years in the House.

Mr. Roy: Mr. Speaker, my only intention was to express certain concern that I have about the bill. I thought that was certainly permitted on third reading. But I want to make one thing clear to you, Mr. Speaker—

Mr. Speaker: May I answer that? On the basis of those remarks, what you wish to say appears to be in order.

Mr. Roy: I do want to make it clear, Mr. Speaker, that when I made a comment about the operation of this House I was not attacking the Chair at all or you personally. What I was saying is that the way the business is called on the other side by the government sometimes makes it difficult for us in the opposition to know exactly when legislation is going to be called. In no way did I want to be offensive to the Chair.

Mr. Speaker: All right. We'll accept that. Would the member just continue with his remarks.

Mr. Roy: The concern I want to express, and I want to say this very sincerely to the minister—

Hon. Mr. Rhodes: That was all said yesterday.

Mr. Roy: —is that through the succession of Ministers of Transportation and Communications the government has had, it has failed to come to agreement with the federal government about an anomaly that exists, a clear anomaly between certain provisions of the Criminal Code in relation to impaired driving and the approach that is taken by this ministry in relation to the suspension of the licence. That anomaly, Mr. Speaker, is that under the Criminal Code a provincial judge, or a judge who is presiding in our criminal courts, has a certain discretion toward the suspension of a licence or the prohibition of driving. The minister is familiar with this. There can be given what are called intermittent terms for driving.

The purpose of that provision in the Criminal Code, which is in clear conflict with sections under this Act, was not to treat everyone the same. In other words, if I, a taxi driver or a truck driver, end up before the courts on a charge of impaired driving or 0.08 or some of the other sections of the code that I referred to, in section 5 here, the loss of my licence means sometimes the loss of my job or livelihood for my family; whereas for an individual, like for instance the minister who has a chauffeured limousine, the loss of his licence is not something that is going to be any great loss because he has the limousine at the door and he doesn't have to drive anyway. In fact I think he can take the limousine down to his riding if he likes.

In any event, we are attempting, Mr. Speaker, through legislation, whether it is this type of legislation or legislation emanating from the federal government, to try to be equitable in our sentences. We are not doing so.

I know this is difficult and the press has consistently failed to understand that point. This minister's predecessor, the member for Armourdale (Mr. Carton), when he mentioned that he might look at this clear conflict between the two areas of legislation, was severely criticized in editorials by the press

saying we were getting soft in light of the fact that there are apparently a greater percentage of drivers who are driving under the influence of alcohol; that we shouldn't get soft, we should get tougher.

I fail to see why at some time the minister could not get together with his federal counterpart, the Minister of Justice, and somehow come to an agreement so that we don't have one piece of legislation saying one thing and another piece of legislation saying another. What the minister is doing now, with this legislation, is precluding—

Hon. Mr. Rhodes: Mr. Speaker, on a point of order, are you going to allow the debate to reopen again? We went through all of these points yesterday, twice.

Mr. Speaker: I was just hoping this would conclude, because we covered those very points last evening in the House.

Mr. Roy: I want it on the record.

Mr. Speaker: There are other members who wish to speak.

Hon. Mr. Rhodes: Mr. Speaker, it's on the record.

Mr. Roy: What about the bill?

Mr. Speaker: That's all right. This was fully debated and replied to by the minister last evening.

Mr. Roy: It might have been done, but surely it's open on third reading for a member to again reiterate what his concern is about the bill.

Mr. Speaker: The reasons for supporting it or not may be stated, but the debate on principle has been completed and those are points which are not new to this House, if you will check Hansard.

Mr. Roy: Mr. Speaker, I just want very briefly to state something to the minister. I know it bothers him when we reiterate a point that is of some value. I notice the minister is getting very touchy.

Mr. Lawlor: I agree with the member completely.

Mr. Roy: The point I am trying to make very simply is that the minister is now precluding provincial judges who have jurisdiction under the Criminal Code from exercising that discretion. He is saying to them: "Seize the driver's licence right now."

Does he know what he is going to do? He is going to force those courts and those judges to start giving more and more what we call conditional discharges where there will be no conviction registered and in that case there won't be any suspension. I'm saying that is not the proper approach.

The fact is that this minister is at loggerheads with the federal government. They should get together on this, because after all the people who are going to be suffering because of inconsistent legislation are going to be the public. They don't understand this. I can't see why the minister doesn't get together with his federal counterpart on this situation.

Hon. R. Welch (Minister of Culture and Recreation): Maybe the member could act as an intermediary.

Mr. Roy: Maybe I could.

Hon. Mr. Rhodes: Mr. Speaker I want to respond just as briefly as the hon. member presented his remarks.

Let's understand it very clearly, Mr. Speaker, and I'm sure the hon. member does as well, that every jurisdiction in this country has attempted to bring this particular matter to the attention of the federal Minister of Justice, to absolutely no avail.

The federal minister is completely aware of the frustrations being faced in every provincial jurisdiction in attempting to have some sort of control over the number of impaired and intoxicated drivers who are on our highways; he knows full well that we've attempted to do that.

Recent meetings of the various provincial ministers have dealt with this very point, how impossible it was to get this message through.

Mr. J. E. Stokes (Thunder Bay): Is that why the minister switched?

Hon. Mr. Rhodes: As far as the inconsistency of the law is concerned the inconsistencies have been carried on from courtroom to courtroom around this province, and this eventually will do away with the inconsistencies.

Now when someone walks into any courtroom in a particular province, if he or she has been convicted for impaired driving or under the other sections that are shown under the code in this particular Act, he or she will know that licence suspension is automatic; and it is the same for everyone across this province.

Mr. Roy: They'll get a conditional discharge.

Hon. Mr. Rhodes: As it now stands, because of the inequities in the law, in one courtroom one can be given an intermittent driving privilege; in another, depending upon the mood of the judge or the way he wishes to handle his court, there is no opportunity given.

Mr. Roy: Why doesn't the minister do away with those judges then?

Mr. E. W. Martel (Sudbury East): There would be no appointments then.

Hon. Mr. Rhodes: There are still the opportunities for conditional discharge.

If it is to rest upon the head of the federal government, this provision to permit people who are known to be convicted of intoxication while driving their automobile on the highways, to permit them, through their legislation, to go back on the highways, let it rest on their shoulders and not on mine.

Mr. Roy: Well why doesn't the minister do away with judges then?

Mr. Speaker: Order please, the motion is for third reading of Bill 177.

The following bill was given third reading on motion.

Bill 177, An Act to amend the Highway Traffic Act.

ONTARIO LOTTERY CORP.

Hon. Mr. Welch moves second reading of Bill 191, An Act to Incorporate the Ontario Lottery Corp.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: I presume Mr. Speaker that after the minister's introductory statement he has nothing further to add at this point.

Hon. Mr. Welch: Just by way of reply.

Mr. Breithaupt: Mr. Speaker, I am pleased to enter this debate with respect to the development of what is now to become an Ontario Lottery Corp. As the bill advises, the principle activity of the corporation is to conduct lotteries to enable the promotion of physical fitness, sports, recreational and cultural activities and facilities for those particular areas.

I suppose, Mr. Speaker, that if this bill had been brought before the Legislature 10 years ago, or even five years ago, there would have been great consternation in the hearts and minds of many members. Indeed we might well have had to have a free vote on a subject as controversial as presumably this might have been.

Thunder and lightning would no doubt have been part of the backdrop to any debate—or at least the prognostication would be such—and it's rather interesting to see the lack of enraged morals that have greeted the introduction of this kind of bill, compared with what we might have expected.

I suppose it's the Olympic lottery that has changed the views of the people of Ontario and helped make this proposal acceptable—the same way that Oktoberfest in my home community has changed some of the views of liquor laws within the province. That is in the same pattern as this piece of legislation.

Ontario certainly hasn't led the way here because other jurisdictions — Quebec and Manitoba—have proceeded with this kind of an approach to the raising of funds. I suppose a goodly number of our citizens feel the raising of moneys in this way is rather regrettable in that funds are raised in this manner even though they are to be spent for worthy projects.

We on this side of the House might well say that the spending priorities of the government are such that we would reorganize them to make necessary funds available from the general revenues of the province rather than go through this particular approach to fund-raising.

However, the ministry appears to have accepted at least four points in a rationale for the development of this kind of a situation. The first point, as I have mentioned, is that the Olympic Lottery has at least conditioned our citizens to accept this kind of a fund-raising spectacle and the presumption that any one of us, if we have the price of a ticket, can presumably earn or at least receive a bonanza by way of a tax-free prize from a lottery.

The second point is that, of course, there has been an apparent change within our society that has found the lack of any real outcry against this kind of an approach, other than the disappointment to which I have referred, so this whole idea is perhaps considered to be politically safe as well.

Third, no one will disagree that the proceeds can be useful, and perhaps are indeed needed, but in this case we apparently ac-

cept that the worthy objective and the worthy aims which we are seeking in the provision of these facilities are sufficient that we are prepared to accept this means, with the hope that the means will be forgotten, at least by some of our citizens.

I think the fourth point, Mr. Speaker, is that, of course, the money that is being presently spent on this kind of project by many of our citizens will at least stay at home. We have been spending these funds, perhaps some $40 million, in the Irish Sweepstakes and the other horseracing affairs, particularly in England as well as Ireland, and the moneys that have been sent rather furtively and secretly across the seas have not been matched with the kinds of penalties that the minister had been called upon, I am sure, to invoke when he was the Attorney General of the province.

I think it is quite clear that when the names of winners have been published in the press over these last several years there have no doubt been calls and letters directed not only to the government but most particularly to the Attorney General saying, "Well, why don't you prosecute? How can these people live off the avails of something which you say is illegal—namely, the selling of these tickets within the province?" The answer, I presume, is that there is no proof that the ticket was bought in Ontario and, therefore, we would rather not get involved with that kind of a prosecution.

So the government really has turned a blind eye to this whole sort of thing, and as a result we are now at the stage where Ontario is going to join in, at least to benefit from the expenditures which people are otherwise making. I suppose it may be too strong to call it living off the avails, but at least there is—with some validity, I think—a view within certain quarters of our society that it is, if not a completely immoral or evil thing to do, at least perhaps a regrettable thing to do.

We are presumably looking forward to receiving a figure somewhat equivalent to the $1 million per week that is raised in Michigan, and I would imagine, as the minister says, that we will be able to acquire some $40 million through this kind of a project, which will provide, of course, substantial funds for the furtherance of the various points that the explanatory note to the bill suggests the purposes of this legislation will be.

The major problem, of course, will be the division of the spoils. I would imagine that the minister will require the wisdom of Solomon to try to decide, among competing groups all with, at least in their view, very worthy projects, just how the money is going to be divided. The former Minister of Consumer and Commercial Relations, now the Attorney General (Mr. Clement), was quoted somewhat at length last spring and summer as to his views with respect to this kind of a financing programme. He didn't like lotteries then, but I presume he is now in line and we may indeed even see him buying the first ticket if things continue to go rapidly in the direction that the minister—a veteran but at least newly appointed in this incarnation—will have us develop.

I would like to ask a couple of questions at this stage rather than requiring that this bill go to committee, and perhaps the minister could refer to them when he replies.

First of all, I wonder how he intends to have the tickets sold. Are they going to be sold through the banks or through individuals, as we have seen in the case of the Olympic lottery—

Mr. Lawlor: On a point of order, Mr. Speaker. As far as we are concerned, for this precise kind of reason, we would desire that the bill go to committee. I don't know if that would foreshorten the debate on second reading.

Mr. Breithaupt: That certainly can foreshorten my remarks. I have just three or four brief points to comment upon. The matter of dealing with the tickets is one. The matter of the extension that Quebec may seek for its Olympic lottery financing is another matter that I would like to hear from the minister upon, so that we can get some idea as to how this is going to fit in with the overall plans that that project may require.

I suppose another point that concerns many of us is the possible interference with local fund-raising projects. In his introductory statement on Jan. 30, the minister was careful to review the local involvement in fund-raising that has seen lotteries an accepted part of fund-raising for what we would consider to be community projects. I suppose the local success of those projects has also helped to make this overall idea of a provincial lottery acceptable to the large majority of the people.

A further point I would raise with respect to the bill relates to my concern about the size of the board of the corporation. I think three to seven members may be rather a low figure in order to get the kind of balanced input and control that the minister seeks.

The final point that I would raise deals, of course, with section 9 and the earmarking of revenues. This is quite a change from the

historic view the government has taken, in that any moneys put into the consolidated revenue fund do not necessarily go out in any proportion to the means by which they have come in.

Over the years, the ministry ordinarily has commented, particularly with respect to gasoline tax, that expenditures on roads and highways should bear no particular relationship to the resultant gasoline tax revenues that happen to come into the coffers of the province. The expending priorities had to be defined quite clearly, and the gasoline tax was to be looked upon solely as a source of revenue and as one that bears no relationship to spending programmes. In this instance, the government seems to be moving away for the first time from that general approach, which I think has been the historic one that this government and, indeed, most provincial governments have taken.

I had rather hoped that this bill could go to standing committee because I thought that perhaps there would be reason for some public input, perhaps from those groups that would wish the whole idea of a lottery to be reconsidered for reasons that they would wish to bring forward. I don't know what the minister's intentions are on this subject.

Presumably members have received some letters directed from individuals, but I must say—and certainly this is my experience—that the comments about the whole idea of an Ontario lottery have not brought any particular flood of mail from the persons either for or against. Accordingly, it seems to be generally accepted that this is a way of raising money and that the people of the province are prepared to accept this kind of an approach with the hope, as we may all follow through, that anyone can perhaps make a million, even though none of us, except one, might write a book on the subject.

I suppose, Mr. Speaker, that this really ends my remarks. We will support the bill. If it is to go into committee of the whole House, the minister might choose to answer the points I had raised. Otherwise perhaps he could reply to them when the debate is completed.

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: Thank you, Mr. Speaker. This is the first opportunity that we have had since the appointment of the new minister and I congratulate him on his appointment. A more itinerant minister is hardly to be imagined. How many portfolios has he held over the past few years?

Mr. Stokes: Seven.

Mr. Breithaupt: Eight in eight years.

Mr. Lawlor: I think four in one year.

Mr. Martel: They can't find a niche for him.

Mr. Lawlor: I thought the first signal act of his ministry in introducing things might very well have been opening a glittering new Las Vegas-type casino down in Prince Edward county or something of that kind to show what an addict of culture he really is, but it's the lottery instead.

When the hon. minister introduced it, it certainly must have become palatable to the virgin instincts of the province. I really think that must be the case. On the other hand, of course we haven't had the bill before us all that long either. The remarks by the minister were made in the Legislature on Jan. 30 and I wouldn't think he had given adequate time for certain sentiments to roll. They certainly must be abroad in the province.

Not only that, but a second element was mentioned by my friend about some kind of feeling perhaps among the smaller lotteries and even among somewhat larger ones as being the reason why the government has been somewhat loathe. Part of the reason why it has been loathe to introduce an Ontario lottery has been that it may impinge upon and in some way disrupt the lottery situation as it developed under previous legislation elsewhere in the province. That is the reason the government has given, at least in the past, in this regard.

With respect to both groups of individuals, those who may be offended or who may be in some way impinged upon by the legislation, I would ask the minister to give good thought to taking this to the committee downstairs, to a more public forum, as a way of a feeling and giving some advertisement in advance. This House will be sitting for a couple of more weeks, I am sure. There's no harm in giving an airing to a matter at this time, rather than introducing the legislation without adequate time for the general public to become completely aware of its existence.

I think the minister knows that after the event he could be very sorry indeed that that was not done, as we have of latter days been very sorry indeeed with respect to certain rules made in a committee downstairs under the press of circumstances and the kind of work we are doing. In the white heat of that committee hearing a number of flaws were made with respect to a piece of legislation. People are claiming they didn't get adequate representation and adequate opportunity to

make presentations. We in this assembly don't want to be accused of not giving the fullest possible amplitude for the public discussion of measures which affect the life of the province as deeply I think as this one is going to do.

I also want to say something to the minister which I never had an opportunity to say when the bill went through just immediately before Christmas in those sweltering days when we were all seeking to get out and do a little Christmas shopping. I remember the last afternoon well. This particular piece of legislation kind of floated through the House with very little comment. It had nothing close to what it deserved.

In any case, isn't the minister right back to where he was when I first came into this House? He used to be called Provincial Secretary. Does he remember those days when he had the same role, and the same functions? He was in charge of translations from Sanskrit into Muscovite or something like that. I remember that was his chief task in those days. He did it with a great deal of éclat, by the way.

I am sure this particular ministry is the kind of thing which can only have one highly beneficient effect with respect to his career since, generally speaking, he confers blessings and favours upon all around. He hardly could ever be the object of criticism in a ministry full of the cornucopia of good things that this has. There is no hard edge to the thing. It is all largesse. It is open-handed giving, I'm sure, to every cultural group in the province—

Mr. Martel: It's a power base.

Mr. Breithaupt: It could be like Snoopy's security blanket.

Mr. Lawlor: —every sportsman, everybody who can do the 100 yards in seven seconds flat. Has the minister tried that recently, by the way?

Mr. P. G. Givens (York-Forest Hill): What, 100 yards in seven seconds? He's obviously never done 100 yards.

Mr. Lawlor: Can't he do it in seven seconds flat?

Mr. Givens: No way.

Mr. Lawlor: Well, then, what is it—10 seconds?

Mr. Breithaupt: He couldn't fall that fast.

Mr. Givens: The member couldn't even bend his elbow in seven seconds.

Mr. Lawlor: I'm sure when I was in college I did it in seven seconds, flat, Mr. Speaker. That's all I can say.

Mr. Breithaupt: That was elbow room.

Mr. Givens: He couldn't even drink a beer in seven seconds.

Mr. Speaker: I'm afraid I can't find that in this bill.

Mr. Givens: Bending an elbow in seven seconds flat?

Mr. Martel: What he's trying to say is that the minister is building a power base for the next run.

Mr. Lawlor: Yes, that's kind of what I was saying. I didn't want to say it in such a way.

Mr. Martel: I am too unkind.

Mr. Lawlor: My friend has more forthrightness than his colleague.

In any event, there we are, back to it. And arising out of the bill is the use of funds. On page 2 of that statement the minister discloses what he expects. I suppose it is on the basis of what New York State has done, and New Jersey up to a point, although theirs has been pretty grim. From the Quebec situation there is an estimate of $100 million coming in on the thing—$40 million in terms of prizes of all kinds. And then there is a fairly substantial sum of money, $20 million by way of commissions. That gives the minister a lot of scope to reward friends he hasn't spoken to for years. He might have to beat the bushes. The range of his acquaintances is going to be very vastly extended.

Mr. Givens: Shouldice might even come back from Florida.

Mr. Martel: Come back to haunt him.

Mr. Lawlor: I mean, imagine, $20 million to be handed out for people selling tickets on commission. It's kind of an open invitation for groups to participate in the largesse, as it stands.

Mr. Martel: Will Ross Shouldice handle it?

Mr. Lawlor: I wonder, really, whether that kind of figure, in terms of administration and in terms of commissions, is really legitimate and well established.

I understand the minister has done a monumental report on this matter; to which, of course, we would be the last people in the

world to be privy. Never would they dream of introducing us into the various researches made in other jurisdictions.

They did it with respect to the horse thing; but that was because we had to pay Allan Lawrence off for his trips to Australia and elsewhere. They finally got two volumes out on that one. We have absolutely nothing on this one.

Again, I feel there's a certain high-handed Tory superciliousness connected with the whole thing in feeding us the necessary information on which to estimate as to whether 20 per cent is a legitimate figure or not. There are no figures as to the actual administrative costs. They say they are going to keep them low. Well, thank heaven for that.

I was over in Ireland last fall where the Irish Sweepstakes got this kind of thing underway in the world, and it has been around a long time. To this extent I congratulate the Ontario government for taking the matter under its own wing and supervision and keeping a tight control over it through its tribunal or through the commission.

Because in that country I understand free enterprise has gone mad. It's all owned by a single individual. As I understand it, owning the Irish Sweepstakes, he basically owns, along with it, most of the rest of the country, and so on. I suppose he's little Rocky O'Rorahan, who has done rather well, coming out of the bogs with peat kind of glowing all over him, and has become with his racehorses the greatest thing in the world.

But he's looked up to. There's no resentment in Ireland; there's no bitterness and there's no socialism. Between the two, Larry O'Rorahan, or whatever the blazes his name happens to be, sits on top of the pile, even if it's a dung heap, and surveys the world like a prince—Balboa looking at the Pacific, or something like that.

Anyway, so we get down to wishing to have figures; some kind of clear picture as to how the thing is going to be run as to costs and as to how the minister arrives at the amounts that are set forth on the second page of his statement. Then the money is all coming into a central fund. He gives a kind of impression in his statement that somehow it's earmarked for a particular activity—cultural, recreational and what not—but a very narrow segment of the total life of the province. It is not going to be used for welfare, and it is not going to be used as the Irish Sweepstakes supposedly was—and they get about five cents on every dollar that goes over there for Irish hospitals; that is just not where it goes.

We are not going to do that, but on the other hand it will go to the consolidated revenue fund. There doesn't seem to be within the perimeters of this legislation any way in which it is sifted out in any determinate manner to particular areas. We would like to know a little more of the minister's plans in this regard.

What about swimming pools? The junior minister over there had a good deal to say about that prior to his anointment, when he made a speech on Dec. 16 in private members' hour about this matter—

Mr. Breithaupt: The minister is not putting up the money for Sussex Dr. surely?

Mr. Lawlor: —that we could put in 1,000 swimming pools in the various areas of Ontario. What would be the minister's intention in that regard? Further, is it his intention that this must cover a vast range of matters which are already under the umbrella of different ministries and ministers, particularly the athletic director for Ontario? Is that job to be merged into this ministry and moneys to be dispersed through that? Is it to be retained just as it is? Let's take social and family services; the Community Centres Act. Is that to be brought into this ministry now?

Hon. Mr. Welch: Yes.

Mr. Lawlor: When are we setting about all this—

Hon. Mr. Welch: The Provincial Secretary for Social Development (Mrs. Birch) mentioned all this on second reading of the Act to establish the new ministry. She said what was coming into the new ministry.

Mr. Lawlor: Well, is the basis of it at all to be an Ontario version of a LIP programme? Is that at all operating in the minister's mind as a way of getting into that field with this so-called $40 million that is supposed to be available in that regard? I wasn't either the victim of or the beneficiary to whatever was said in that particular debate, Would the Ontario Arts Council be absorbed from Colleges and Universities into this ministry?

Hon. Mr. Welch: Yes.

Mr. Lawlor: It shows the minister has done a little thinking about what his ministry is going to achieve. Has he seen the recent proliferation of theatre groups in Toronto?

Hon. Mr. Welch: Yes.

Mr. Lawlor: There are 25 or 26 of them presently operating, putting on plays.

Hon. Mr. Welch: Very impressive.

Mr. Lawlor: To what extent does the minister intend to subsidize and aid these groups out of this money? Has he any allocation in mind at all, or how is that to be handled? Has he any clear demarcation? Is there a point system? Is it done intuitively?

When the minister was provincial secretary he was in charge of the boonswaggle. He was even the minister of the boonswaggle; he had the swag under his desk and all those various institutions, groups, etc., throughout the community—from year to year they changed a little bit, shifted a little bit—but they all kind of fell within his particular providence, and like God Almighty he put his finger in the pie and they were all rewarded, and if he didn't, if he frowned, they disappeared from the scene. What power!

No majesty, but an awful lot of power in the situation, and we used to question that particular piece of large-handedness at considerable length. It was one of the things that Sopha did particularly well in the old days; he took the minister to task on that. Well, here we are back into it again. But this is the big-time operation; the minister is not going to fool around any more.

Hon. Mr. Welch: That's right.

Mr. Lawlor: Not only have they given him a department, but he has $40 million he didn't know he was going to have previously. Well, I can tell you, Mr. Speaker, that if Mrs. Welch's little boy wants to be the Premier of this province he certainly has got the inside track at the moment. He is going to have friends and acquaintances he wouldn't believe—

An hon. member: Not if he stays with the Tories, though.

Mr. Lawlor: —and he wouldn't find at all palatable in some cases either, but there we are.

We want to know whether there is any theory of earmarking involved in the funds at all. If these $40 million are to be used for a particular range of purposes, how is the minister going to do that? As the money goes into the Treasury and is mingled with the general revenues of this province, is it the minister's intention to go before Management Board with particular allocations of funds based upon the amounts of money coming in and say: "These funds are really funds for these particular purposes." If he does that, it certainly will be the first time in the history of the province that that has been dreamed about.

Never have we considered that the segregation of funds was a permissible thing, nor that there was any particular legitimate levy against general funds—or particular funds for that matter. It's a kind of principle that has never been offered previously. That's the kind of principle that the minister has enunciated in this legislation, and I'm questioning it—we're not taking objection to it—because we want to understand what it's all about. What is going on and how is it to be managed? It seems to us a bit of a puzzle, and we're not quite convinced that the government has figured it out itself yet as to what it is really about.

Mr. Martel: Will Conservative members deliver the cheques, as in the past?

Mr. Lawlor: That's a good one.

Hon. Mr. Welch: I am a great believer in tradition.

Mr. Martel: Oh, is he? Then they'll deliver the cheques. What the minister is saying is that they'll deliver the cheques.

Mr. Lawlor: I thought that was an amendment to the bill that the minister was introducing, that only Conservative members will deliver cheques.

Mr. Young: He will have one friend and 1,000 enemies in that case.

Mr. Lawlor: On the last page of the minister's statement, he says:

> The establishment of the new Ministry of Culture and Recreation reflects the high priority this government assigns to the promotion of physical fitness, sports, recreation and cultural activities of all kinds. The lottery revenues will be used to further stimulate these programmes above and beyond the considerable expenditure that the government is already making in these areas.

That was the basis of my puzzlement with respect to the general use of public funds and this peculiar new use of public funds that the minister is setting up in this legislation.

Those are basically our thoughts—reservations, if you will—and objections. The questions will flow from them. Again, before

I sit down, I would seek to prevail upon the minister to give this a public airing. He's the boss in that particular regard, but in any event we will have questions in committee.

Mr. Speaker: The member for Perth.

Mr. H. Edighoffer (Perth): Thank you, Mr. Speaker, I would like to make a few comments on Bill 191. First of all, I would like to congratulate the minister on his new ministry.

I guess I've spoken on provincial lotteries on two previous occasions in the 1974-1975 session, particularly in the private members' hour, and I've agreed that a provincial lottery should be conducted. At that time I stated that it was most important that costs be kept down and community benefits kept as high as possible. The other purpose was to try to restrict the flow of cash out of the province. The other item was that we could consider this a form of gambling, but it is a fact of life that many people want to participate. This, of course, is not mandatory legislation; people do not have to participate if they don't want to.

Mr. Speaker, in studying this bill, along with the statement which was made by the minister not too many days ago, I found it somewhat confusing. I thought at first glance that the government had changed its policy, particularly when I read the second paragraph of the minister's statement, where he said:

> The net proceeds from the lottery will be used by the government to support programmes for physical fitness, sports, recreation and culture in Ontario. The corporation will determine the price of tickets, sales arrangements, size of the prizes and frequency of the draws.

Then, of course, when we finally got the printed bill I looked very carefully at section 9, and in reading section 9, I'm just wondering if the minister responsible for this legislation is doing what I believe the Premier (Mr. Davis) has said that this party has done on many occasions—had both feet planted firmly in mid-air. As I read section 9, it says:

> The net profits of the corporation, after provision for prizes and payment of expenses of operations, shall be paid into the consolidated revenue fund at such times and in such manner as the Lieutenant Governor in Council may direct . . .

Then it goes on, ". . . to be available for the promotion and development of physical fitness etc." It looks to me as if that is exactly what the Premier has referred to in the past as other parties having both feet in mid-air. I just hope that when this goes to committee the minister will be able to explain that more clearly.

Also in the minister's statement on page 2, he stated that about 40 per cent of the income will be used in prizes, and operational expenses and sales commission of about 20 per cent. I think 60 per cent is fairly high and I hope this isn't what he expects the corporation to aim for. I hope that in the future that would be able to be reduced considerably.

The other question that arose in my mind and which has been touched on—

Hon. Mr. Welch: I am sorry, I missed that point about 60 per cent. I don't know how you get 60 per cent out of my figures at all.

Mr. Edighoffer: I am sorry, the minister said he hoped that sales would reach $100 million, and 40 per cent and 20 per cent would be spent in prizes and operation, which is 60 per cent. Sorry, I probably didn't explain that clearly; I'm glad the minister asked me to clarify that.

Mr. Speaker, after realizing that this ministry was coming into existence, and this being the first piece of legislation that this minister, as Minister of Culture and Recreation, has brought before the Legislature, I really wonder why this type of legislation isn't controlled by Consumer and Commercial Relations, left in the lottery branch. To me this is an unbelievable start for the new ministry, especially in the promotion of culture.

I don't really feel the minister can be particularly proud of this legislation, because section 9 and section 10 allow the cabinet to allow the money to stay in the corporation until they desire it to be placed in the consolidated revenue fund. The cabinet has the right to give as much money as it wishes to the corporation at any time.

The last comment I would make on the minister's statement—and I think this is pretty typical of this first piece of legislation for the ministry—is that on page 4, the top paragraph states:

> Additional revenue from this provincial lottery will be used to enhance even further the new impetus this government intends to give to a whole range of activities which will benefit all the residents of Ontario.

That really doesn't explain too much to me. I just hope that the minister can explain that a little more clearly.

The last comment I want to make, Mr. Speaker, is that I, as one member, have not received many comments from constituents or residents of Ontario against provincial lotteries. I have, however, received one request from one group of people and I think the minister is aware of this group.

I happen to have a father-in-law who is a Baptist minister and there is a group called the social concerns committee of the Baptist convention and I believe—and I want to draw this matter to the attention of the minister—that on Oct. 30 the Premier of this province wrote a letter to this group. I would just like to quote one sentence from that letter—and this is from the Premier of the province—and it is in reference to provincial lotteries:

> May I assure you that there will be ample opportunity for input and comment from interested individuals and groups, if and when a decision should be taken to establish a provincial lottery.

I hope that this minister, seeing that he now sits right beside the Premier, would accept that decision about which the Premier wrote and he would see that this bill goes to standing committee.

Thank you Mr. Speaker.

Mr. J. E. Bullbrook (Sarnia): May I interrupt, Mr. Speaker, if you would permit me? I want to join this debate, but would you permit me to ask a question?

Mr. Speaker: For clarification purposes?

Mr. Bullbrook: Is the minister to be designated as the minister responsible for this statute?

Hon. Mr. Welch: That's my understanding, yes.

Mr. Bullbrook: Thanks very much.

Mr. Speaker: The member for Yorkview.

Mr. Young: Mr. Speaker, in rising to participate in this debate I think all of us take for granted that the bill is going to pass, as we took it for granted last December when the private member's bill was introduced by the member for London North (Mr. Walker) and we had a debate on it at that time.

As far as this group on this side is concerned, we are not going to divide the House. However, I do want to express some concern here that I expressed in December about the whole matter of the provincial lottery.

I don't know whether the hon. minister has been looking over his shoulder and seeing the ghosts of Calvin, and Wesley, John Knox and the other people who went before him who talked to us in terms of hard work and reward for sweat and hard, bold labour. We also had a very comforting philosophy, for the wealthy particularly, that if you worked hard, your reward would be prosperity and riches. Calvin, you know, had a pretty hard and fast rule about this. He said to everybody—this was part of his religion—"You get down there and work your head off and eventually you'll get rich."

Of course all the Presbyterians didn't get rich, I understand. But some of them did. And, of course, John Wesley, riding his horse around England at a later date, preached to the poor of the country that they had to get back into the sweat-shops and do an honest day's work and they would get an honest day's pay and perhaps out of their labour and out of their devotion, out of their religion, would come—what was it?—a quickening of the conscience on the part of the rich and the employing groups and they would see to it that a better kind of society would emerge.

So I just bring to the minister's attention, and to the attention of this House, this philosophy which, as I pointed out in December, has all but been forgotten in our society. Because this dream of getting rich—the way it was, you see, through the Calvinistic approach, was hard work and devotion, long hard hours of back-breaking labour; that was the path.

But then there were smart people who saw a way of short-circuiting this. And it was short-circuited in a variety of ways—I'm not going to name them all. Of course, the exploitation of labour was one. The people who took real risks, who went to the Indies and brought back these shiploads of spices and gold and silver and all these things, they had a quick way to fortune but, believe me, for every one who made a fortune a lot of them foundered on the way in the heavy seas and so on.

The oil barons, of course, have found a way in recent days to short-circuit that busines of hard work toward riches. Of course, now the minister, instead of saying "Bear ye one another's burden," the way Calvin and Wesley said, says, "Just take a chance and have the rest of society bear your burdens." It's a reversal, you see, of that kind of good, old Calvinistic philosophy.

So we are all going to take a chance. We buy the tickets and we hope that the rest of our days will be spent in luxury and ease at the expense of others.

Well, we have accepted that kind of philosophy in our society. I am not going to point out much more about it today, because I think all of us understand it.

So, I suppose out of this will come wealth for us – saunas in the House, maybe – who knows? Maybe the member for York-Forest Hill will find his way to luxury. He already now knows it, of course.

Mr. Givens: I have already found it.

Mr. Young: You see, there; he has found it –and perhaps some other member will get it too.

Mr. Martel: He should spread it around a little, then. Spread it around a little.

Mr. Young: But I am wondering whether or not, as–

Mr. Givens: You have to work for it, Mr. Speaker.

Mr. Young: –this thing gets under way, whether or not some advertising agency in Ontario might also find its way to some short-circuiting of the hard labour and find prosperity, if not riches, out of this.

The minister hasn't told us whether the board members are going to be paid or whether it's a labour of love. I presume they are going to be paid. We don't know whether it's a full-time job or a part-time job. I presume the chairman would have to be full-time. But I presume, also, there would be a reward for somebody–and I doubt that it'll be a New Democrat who will get that appointment, or even a Liberal. Perhaps the minister is going to show this broadmindedness and appoint someone who is a known member of another party to head up this board; I don't know. But certainly we will be watching carefully to see what kind of advertising is going to be done; who does it; who are the members of the board; and what is going to happen here.

One of the things which concerned me in December and still concerns me–and has already been expressed today by two previous speakers–is just how recreation, arts, culture is going to be linked in with the lottery. I feel that if we are going to have recreational programmes, if we are going to have cultural programmes–as we have and we hope to see them expanded–then these should be done on the basis of whether or not they should be supported by society, by this government, by this province, by whatever voluntary agencies want to support them. This is the fundamental thing I think we have to come to. And part of the consolidated revenue of this province should go to this kind of activity.

Hon. Mr. Welch: It does now.

Mr. Young: All right, it does now. But then in the propaganda in connection with this lottery and putting over the ideas of the province, we are being told that the income from the lottery is going to expand this kind of activity.

Does that mean that we are going to expand this kind of activity in this province in proportion to the success of the lottery, rather than in proportion to the needs of the people of Ontario for this kind of activity? There is a difference here, and I hope the minister understands it.

I am concerned that the community of Sarnia, for instance, will come to the minister at some future date and say: "We need to have our little theatre group underwritten. We are getting a very good group here; we need more facilities; we need more equipment. Now we need a matter of $25,000 to $30,000 to expand the activities of this group."

Now, does the minister respond: "Yes, that is a worthy project, and I will speak to the Treasury board and see if we can't pry the $25,000 to $30,000 loose from the consolidated revenue without mentioning the lottery"? Or is he going to say to the member for Sarnia: "We are sorry, this year the lottery hasn't come up to our expectations, and so you can't have this $25,000 for this good purpose"?

Mr. I. Deans (Wentworth): No, he's going to give them a big package with lottery tickets in it and say, "There you are."

An hon. member: Sell!

Mr. Deans: "Sell your lottery tickets."

Mr. Young: This is the other matter which I think concerns all of us. In order to promote culture, in order to get a new recreation facility in our community, the minister will say to the athletic association of that community: "All right, here's $100,000 worth of tickets. You sell them." I suspect that the Conservative association in the riding will also have lottery tickets as a means of raising funds.

Mr. Bullbrook: That will be an exercise of some discretion there.

Mr. Young: An exercise of some discretion.

Mr. Bullbrook: My colleague from Lambton (Mr. Henderson) will have some input.

Mr. Young: That's right, but the member for Sarnia may not have; that's his point, is it?

Mr. Bullbrook: That's right.

Mr. Martel: Probably correct.

Mr. Young: When the time comes when the spoils are to be distributed, we hope those spoils are going directly into the consolidated revenue of the province, and no place else and that the support of the recreation facility in Sarnia or in Kitchener or in Forest Hill, wherever it may be, will not depend upon the success or failure of the raffle at that point.

I can see in the future where people may get a little bit tired of buying all these raffle tickets and that this may not be as successful as the minister thinks. He builds up a programme of recreation with this in the back of his mind, even if the consolidated revenue pays for it. Then, suddenly, instead of $40 million, we get down to $30 million in this particular year. Does the minister at that point say: "Now we have to cut back on recreation programmes; we have to cut back on culture, because these were the purposes for which this money was being raised"? Rather than the importance of the activity, the success of the lottery will determine whether or not these things are to be funded adequately in Ontario.

This is a reservation which I have and I hope that the minister will explain to us exactly what relationship there is between the lottery and cultural activities. I hope he doesn't go out to sell this through the advertising agency that he may appoint on the basis that it is going to be for these fundamental purposes and say: "If you people out there in Ontario want these things, then by gosh, by inference, you had better get behind it and sell the tickets and buy the tickets and make it successful."

The other thing that does concern me is this matter of diverting the attention of the people of Ontario from their very great problems today to certain activities of the government. A little while ago we heard about a five per cent reduction in the salaries of cabinet ministers. Is that the answer to inflation, a five per cent reduction in the salaries of cabinet ministers? And now we have a second answer. A five per cent reduction and a lottery is the answer which this government is giving to the people of Ontario to solve their very great problems of increased cost of living, inflation, trouble, unemployment and all the rest of it. Are these the solutions that we are being given at a time when the people of Ontario are looking for leadership in all these desperate problems they are facing?

Are we going back to the days of Rome when the government gave them enough bread and circuses to divert their attention from their problems? I don't know. I sometimes wonder if that's what we are doing, so that we can get the people all heated up about a raffle, getting out selling tickets and getting excited about making that $100,000 or whatever the prize is going to be—$1 million in the case of the one in Quebec for the Olympics. Get them excited about these things and somehow or other with that hope of riches dangling before them they are going to forget the problems of the every-day world and their day-by-day living. I hope we are not trying to do that but it does smack something of that kind of activity which the ancient Roman rulers did indulge in, particularly in those days when they were facing extinction, as this government seems to be facing right now.

I hope, Mr. Speaker, that we are going to face this lottery with some degree of trepidation and some degree of the seriousness of the course upon which we are embarking —the denial of the fundamental tenets upon which the minister was brought up on— and that we realize that we must not divert our attention from the fundamental problems of our society by focusing on this particular activity. Somehow or other we have to do more than make a five per cent reduction and hold a raffle in Ontario to meet the needs of our people.

We have great resources in our timber, our metal—

Mr. Martel: They gave them away.

Mr. Young: —in oil and all the other tremendous resources we have in this country. Instead of giving these resources away, instead of refusing to tax these resources and raise funds from the logical places where they seem to be, as my confrère has said, not only are we giving them away, but we're allowing the profits from them to be siphoned off into another country. These are the places we ought to be looking to for revenue.

Instead we look at this little bit of revenue which will be raised in terms of the need of the province—and it's going to be raised largely from the poor of this province, too—it's generally the people of moderate and low incomes who buy the tickets. Those

who are more wealthy will go into the stock market, I suppose, and do their gambling there and other places. Land speculation, I understand, is a place where a great many people—

Mr. Givens: They are taxing that now, too.

Mr. Young: Yes, they're taxing that a bit now, too. But there are a lot of exemptions from that tax—

Mr. Givens: Only if you're an American.

Mr. Young: There are a lot of exemptions there, as I say, but that still lets the profits from that land flow across the border.

Mr. Speaker, I think I have shot my bolt this afternoon. I have raised these concerns and I hope the minister is seriously looking at that ghost of John Calvin up in the seat behind him there.

Mr. Deans: That's who that is, the ghost of John Calvin.

Mr. Young: That chap got a little bit off the track from Calvinism. But this subliminal ghostly form that watches the minister is a bit disappointed at his holding out this little bit of a hope for people to become millionaires without the hard work and the back-breaking experience that such go with it, according to the Calvinist philosophy.

Mr. Speaker: The hon. member for York-Forest Hill.

Mr. Givens: Mr. Speaker, I am delighted that I was here to listen to the speech of the hon. member for Yorkview, which I can only describe as a beautiful vignette on the subject in terms of its moderation, its candour and its clarity. I think he ought to be congratulated. I've heard him speak quite often in the Legislature, but never so eloquently, so quietly and so circumspectly as he did just now. I really enjoyed it.

Mr. Speaker, my precursors in religion were not Messrs. Calvin and Wesley, so I am not religiously bound by anything that they had to say about hard work.

Mr. Young: They based their philosophy on the Old Testament.

Mr. Givens: Well, I always thought I was a follower of the Judaeo-Presbyterian ethic when it comes to hard work. I always follow those precepts in my daily life. That's why I have become the great success that I am, being a member of this Legislature and driving a Ford.

Mr. Deans: What kind of Ford?

Mr. Givens: A 350-hp Ford.

Mr. Bullbrook: Yes, it's named after a president of the United States. Want to guess? It's not Eisenhower.

Mr. Young: It isn't a Model T, understand.

Mr. Givens: No, the man who came through the Civil War.

An hon. member: Durant?

Mr. Deans: It isn't an Edsel, is it?

Mr. G. Samis (Stormont): It's related.

Mr. Givens: In the Old Testament, Mr. Speaker, there are instances where lots were taken and lots were held, so I have no religious forebodings with respect to the holding of lotteries. Neither I nor the members of my party will vote against the bill on the basis of principle or on the basis of religion. But, to be perfectly frank with you, I don't like the bill. And I don't like the whole concept of the province entering the field of lotteries.

I find, in the countries that I have been throughout the world, that the holding of lotteries generally is the mark of a weak society. With all due respect to the countries I visited, I found that it's the more degenerate—I shouldn't say degenerate, that's a terrible word: the weaker states, the ones with the less healthy economies—

Mr. Samis: France. France is the best country in the world.

Mr. Givens: —the less healthy societies, the less vigorous societies. France? What is so wonderful about France? The member has been saying France has such wonderful things.

Mr. Samis: No, no, the member is talking about France—less health, less vigour.

Mr. Givens: Does the hon. member consider France such a great society from the standpoint of moral ethics—

Mr. Samis: We weren't talking about moral ethnics.

Mr. Givens: —with the greatest alcoholism rate in the world? Well let's not get into that debate.

It is not the mark of a great vigorous, healthy society to have to base its monetary requirements on a lottery—

Mr. Deans: Shows the government how insignificant it is.

Mr. Givens: Let me give you an example of the differences between this government now and this government led by another administrator, John Robarts. This may well be this government's epitaph, so I will give you the example of what I mean, Mr. Speaker.

I am sorry that this minister should have to be the minister who is saddled with this bill. It is rather an inauspicious thrust to see him given to Culture and Recreation with a bill on lotteries. I would have thought a man of his intelligence, his background, and his perspicacity would have made his inroads into culture and recreation on a more lofty plane, than to bring in a lottery gambling bill as his first mark in the field of culture.

Let me give you an example of what a former Premier of this province did, Mr. Speaker. When I was mayor of the city of Toronto a question of embellishment for the new city hall came up—this will just give you an example of how this government treated the matter of culture previously. It was a matter of buying a piece of sculpture by Henry Moore, who was considered to be the greatest sculptor of the century, maybe one of the great sculptors of all time. The members probably all know the story—at one time or another it appeared in all the newspapers of the country, of North America, and probably in all the newspapers of the English-speaking world.

The council refused the money for reasons which I won't go into; it is a very romantic story. I have been vindicated in my lifetime; I am happy about the story. The council refused the dough, although they had it. I went out on a private campaign and raised the money, and I bought the sculpture. As a result of this sculpture being purchased and brought to Toronto, Henry Moore came to Toronto. As a result of his coming to Toronto—where he first learned where Toronto was as distinct from Kakabeka Falls or Albuquerque—he was convinced that Toronto was a wonderful place. And as a result of this, this government under the leadership of John Robarts was persuaded to contribute $12.5 million to the Art Gallery of Ontario—the name was changed from the Art Gallery of Toronto—to build a wing to house the gift of Henry Moore.

The capital city of Ontario is now the largest centre of Henry Moore sculptures and works of art anywhere in the world. This is what John Robarts did. He didn't go out and run a lottery, or run a horse race for the purpose of raising the money. He realized it was a worthwhile project, so he said to the guys at the Art Gallery, "All right, I will give you $12.5 million; you go out and raise $5 million." Moore was willing to co-operate on the basis that this wing was going to be built in his honour, and he was willing to make this contribution of what is considered to be about $15 million worth of his works.

This is what resulted from what this government—on the basis of realistically realizing what was good and what was in the best interest of the people of the Province of Ontario—did in a realistic way out of taxpayers' money. And this is the way to face up to the situation. Not to arouse the fantasies and expectations of people that they are going to get something for nothing, that they are going to buy a ticket for $10 and they are going to win a million. That's a bunch of baloney.

Mr. Speaker, this is the difference to me between the government of the previous Premier, Robarts, and the administration now run by this Premier. As I say, this will probably be its epitaph.

This is why I don't like this business of this lottery. I say it is the mark of a regressive state, notwithstanding the fact that France has a lottery. There are a lot of things about France that are backward, including the former Devil's Island that France ran and a lot of other things that France has done which are bad, but I don't want to get into that discussion now.

There are two specific things I would like the minister to address himself to, to get to specifics, so that we just don't ramble generally. The minister is determined to put this thing through. I've learned from bitter experience, after being around here for 3½ years, that he is going to get his way. The first thing is this, the city of Montreal or the Province of Quebec—I don't know under whose jurisdiction the Olympic lottery is run—apparently had to get approval by the federal government and the provincial governments of this country to run the Olympic lottery. They must have had provincial approval as well because there are some provinces which do not permit the sale of Olympic lottery tickets. It has been indicated by the Prime Minister of Canada over and over again that he's not going to help in any special way with respect to funding the deficit, if any, of the Olympics, and there sure as hell is going to be a deficit there.

Mr. R. G. Hodgson (Victoria-Haliburton): They said the same thing about the last one in Montreal.

Mr. Givens: Yes, I know, but the fact is that we're going to have the Olympics. We're wondering whether we should help Syncrude, but they're prepared to blow $250 million defending the honour of the Olympics. Let's not get into that. That point I'm trying to make is this. The Prime Minister has indicated that he's going to look into the feasibility, the practicability and the desirability of permitting the Olympic setup or the corporation or whatever jurisdiction they function under to continue to sell Olympic lottery tickets for an indefinite period of time after the Olympic event.

I remember when I was mayor of Toronto I had a promise from Mayor Drapeau that Man and His World and Expo would stop functioning and that it would never interfere with the Canadian National Exhibition. I knew he was conning me at the time because I didn't believe that he was going to dismantle it. Of course, he continued after Expo, after 1967. They intend to continue to sell Olympic lottery tickets because, after all, it isn't going to cost the Prime Minister anything to give his permission. What is our position going to be?

The fact of the matter is that this has become highly publicized. They have a highly sophisticated public relations programme. People have got into the habit of buying Olympic lottery tickets. They're being sold in all the banks and all the financial institutions and all over the place. A lot of people here have bought these tickets from time to time. What is the minister going to do about that particular situation? Is he going to refuse the sale of Olympic tickets in Ontario? Is he going to be in a position to refuse it? Is he going to take the position of refusing them permission to continue after the Olympics? Does he intend to do anything about it or is he simply going to let them continue to compete with his lottery tickets which he intends to sell as of the passing of this bill?

I think that if the minister is serious about this, which I'm sure he is as otherwise he wouldn't be going through with this hassle, then he has got to adopt a strong posture and take the position that in this province, as in New York or anywhere else, the government is going to have the exclusive run. What have we got now—a population of eight million people in Ontario roughly thereabouts? If they siphon off his market, because they're selling them year round, then he is going to be left with nothing.

I'd like to know what his views are with respect to what I call exclusivity. Does he expect to run them out or does he not expect to run them out? By running them out he knows what I mean. Is he going to take over or is he going to keep the field to himself? That's No. 1.

No. 2. I'm really concerned that government is going to develop this into one big—excuse the expression—pork barrel, where it is going to take the $40 million that it is going to get or whatever it is projecting for the future—and the minister doesn't know better than anybody else how much he is going to get out of this—and distribute this largesse, particularly around election time, like nuts in May, something for this, something for that and something for somebody else. I think this is wrong. I think it is amoral, I think it's wrong politically, I think it's wrong socially and it's wrong in every other way.

I think what my learned friend from Yorkview has pointed out is absolutely correct, namely that when the government starts backing a programme of importance and then finds its income has decreased by five or 10 per cent and has to cut that programme by five or 10 per cent because it will not be able to sustain the level of sales, then that would be tragic. If the government relies on that sort of helter-skelter kind of funding, I think that's wrong.

The minister is going to find in this particular field that a sort of a Parkinson's law will develop, where the causes which he will fund will expand in order to meet the funds that are available for the gifts that he hands out, if he knows what I mean. Let me give him an example I remember when the Metropolitan Toronto corporation was set up. We had the question of how much Metro was going to be able to give away for objects of culture in the community. We were talking about 240 square miles. At the time, there were 1.5 million people and now there are about 2.25 million people. I think there was an upper limit set of about $50,000. This goes back some 15 years.

If the minister was interested enough to pay attention, only about six weeks ago, just before Christmas, he will recall that there was an amendment that went through to the Municipality of Metropolitan Toronto Act, which took the limit off completely on the business on how much money can be handed out to organizations of culture, philanthropy—I forget what the wording was, but he knows what I mean—things of this nature, recreation, culture and so on. The upper limit was completely taken off. The reason that was

done was that the number of causes escalated and increased to such an extent and their requirements increased to such an extent that it was just impossible to batten them down. There was no use going to somebody and saying: "Look, if you show me a deficit, we'll give you money," because the least efficient ones were the ones that showed a deficit, and those that really should be helped were unable to be helped. There was no point in saying to somebody like the Toronto Symphony when they needed $150,000, that one was going to give them $5,000. One might as well give them nothing.

This is what I think the minister's going to find. So my second point on the exclusive business of having the field to oneself is this; I think the minister should do something in committee when we are discussing this about tying this down to a specific field of activity. If he wants to confine it to sports, confine it to sports. If he wants to confine it to hospitals, confine it to hospitals. But confine it to a certain field of activity so that there will not be all these myriad number of diverse and multitudinous claims which are going to beset him or some subsequent minister in years to come, because he is going to have them and he is going to be overwhelmed by it.

Mr. Young: Put it in the consolidated revenue.

Mr. Givens: Or put it all in the consolidated revenue, because in the final analysis it comes out of the same pot anyway. But for the minister to put himself into a position where he is going to have this pork barrel into which the money is going to flow and out of which he is going to give out this largesse, puts him in a position of handing out favours from a public trough of a lottery, which I don't think is desirable at all.

I tell the minister that as far as I'm concerned—and I hope I'm wrong and hope it brings in zillions of dollars, but I don't think that it is going to—what is hapening now is that too many people are getting in the act. There are many states and too many provinces. Everybody is looking to the lottery as the way out. Does the minister know how many states there are in the United States now into lotteries?

Mr. Samis: About a dozen.

Mr. Givens: About a dozen. And we've got Quebec and we are going to have Ontario and somebody else is going to come along. They are going to cancel each other out because there just aren't enough people to finance these things. Then we've got the Irish Sweepstakes and la belle France.

Mr. Samis: La belle province.

Mr. Givens: Then we've got South American countries. I don't know whether the tickets come up here or not, with permission or without permission, and so on. And so they cancel themselves out.

However, you are determined to have lotteries so those are the two points that I would like to see answered: what you are going to do about maintaining the exclusiveness of the field, because I think that is important; secondly, what about getting away from the pork barrel aspect of it to have it devoted to a specific cause such as hospitals or directly related to culture? I don't mean horticulture or agriculture or physical culture or some weird esoteric or widely defined aspect of culture, but something that can be readily understood by everybody or have it paid into the general consolidated revenue fund so that everybody knows where the money is going.

Mr. Speaker: I guess the hon. member for Stormont is next.

Mr. Samis: Mr. Speaker, I will make my remarks fairly brief. I guess my perspective on this bill is quite different from my colleague's from York-Forest Hill. Coming from a border riding, surrounded on the south by New York State, within access of la belle province de Quebec—the scions of the people of France of whom I am so proud compose 40 per cent of my riding.

I spoke on this bill in December in a private members' hour and supported it then, and I am glad to say that I support it now. I congratulate the minister for bringing in this bill. Coming from a part of the province where the name John Calvin is not especially famous, where his influence is rather minimal, I am pleased to see that the minister has been able to throw off the shackles of Calvin and all his followers, since this province has been shackled for too long by the puritan ethic of the Calvinist philosophy.

Mr. Lawlor: This is the closest the member is going to get to Geneva, right here.

Interjections by hon. members.

Mr. Samis: There was an interesting article in our local newspaper in the city of Cornwall on Saturday that said approximately $121,000 already had been spent on the recent issue of the Olympic lottery from Montreal, which is revenue that doesn't stay in Ontario. If the city of Cornwall decides to

spend $121,000 in a lottery like that, it is high time that money stayed in Ontario and was used for the benefit of the people of Ontario.

Frankly, I wonder why the Province of Ontario waited so long to bring in a lottery. The Province of Quebec has had a prosperous lottery that has been going on for approximately five years. New York State and other states had them five, seven, eight years ago. The Province of Manitoba has had a lottery. It has been used in the western provinces as well. It's a common feature in European society. And as I said, I certainly don't share the feelings of my colleague from York-Forest Hill about the country of France.

It seems to be Ontario has always had its head in the sand regarding lotteries and things of this sort. I am glad to see we are getting our head of the sand, opening our ears, opening our eyes, and facing the fact that lotteries are a part of life in North America. They may not be the best way of raising revenue. They are certainly not a substitute for a fair and just tax system, but they are a legitimate way of raising revenue.

I noticed in reading up on lotteries that in 1873 the city of Montreal had a lottery. In 1934 the Senate of Canada officially approved a national lottery. In 1934 the Legislature of Quebec passed a lottery bill. So in Canada the idea of lotteries is nothing new. Ontario is only catching up; we are not moving ahead. We are catching up with other provinces. I hope in later discussion in committee, the minister would outline how much study has been put into this, the other models that he has studied—for example, in Quebec the United States, New Zealand, Europe. I would be interested to know how much study his department has gone into to find out what system he wants to adopt here in Ontario.

When he appoints this board, I would hope he would consider the Franco-Ontarian people of Ontario who are a legitimate part of this province and who have been ignored for a long time. I would hope he would see fit to appoint a Franco-Ontarian to that board.

When the minister gets this consolidated revenue, I certainly share the concern that has been expressed already that we don't create another pork barrel whereby the minister becomes a travelling, 12-month Santa Claus dispensing the political goodies of the Tory party in Ontario.

Mr. Lawlor: He is beginning to grow a beard already.

Mr. Samis: If he decides not to use the consolidated revenue approach, for goodness' sake let him consider the needs of eastern Ontario. For too long Toronto has been getting all the goodies; everything has been centred on the southern part of this province. If there is one part of Ontario that needs help, and the government is getting extra revenue, then we would ask the minister seriously to consider the needs of eastern Ontario in the field of culture and recreation.

Our average income is lower. We don't have the facilities to create things that the people here in Toronto have. We don't have the multi-splendoured facilities that people here in Toronto can use. We need more help. So if the government is going to use this for culture and recreation, please consider the needs of eastern Ontario when it dispenses this largesse.

In closing, I support the bill, but on the premise that this is not a substitute for a fair and just taxation system. It's only a way for Ontario to catch up with the other provinces; we are in no way moving ahead. Again, I congratulate the minister for introducing the bill.

Mr. Speaker: The hon. member for Sarnia.

Mr. Bullbrook: I thank you very much, Mr. Speaker, for the opportunity of joining in the debate. We don't have that much time. The Premier is going to make an announcement on Syncrude, I guess at 5 o'clock.

With the shackles of Calvinism, it seems there is a degree of Syncrude about this. But may I say to you, Mr. Speaker, I am not against all lotteries—by any stretch of the imagination.

One lottery I never did like was that one in the United States where they picked names and sent them to Vietnam. That was a terrible type of lottery.

But there is nothing essentially wrong with a lottery. I have been known to accept and take a wager. I see nothing essentially reprehensible in the raising of funds for public good.

But having been here for eight years, and on my way out, I have developed an awfully suspicious nature. This probably is a bill so replete with invitations to suspicion that I have got to catalogue some of them. The first one is: Why doesn't the government name the responsible ministry? That is the first question I'd like to ask. There is a purpose in not naming it. There is an ulterior motive, Mr. Speaker, in this government in not naming this ministry. Because it can name

the minister very easily, if it is to be the Minister of Culture and Recreation.

I say to you that there must be a reason, Mr. Speaker, for not naming the minister. I say, secondly, that the very principle of not naming the minister responsible to the House is wrong. The total equation that goes on here is one of ministerial responsibility to the legislative process, and under this bill we don't know who it is. I say to you, Mr. Speaker, as a first matter of principle we are entitled to know who that is.

When you couple the function of the Minister of Culture and Recreation as established in the statute that we passed, Bill 180, with the fact that he is going to be the chief lottery officer of the Crown, one wonders whether the government is not doing something in an insidious way—or whether I might say they just don't know what they are doing.

Listen to the objects of this ministry and the responsibilities and duties given to the minister under his own statute. They are: preserving and maintaining the cultural heritage of residents of Ontario, with full recognition of their diverse traditions and backgrounds; promoting access to the benefits of citizenship and of active involvement in the cultural and recreational life in the province; and stimulating the development of new forms of cultural expression and promoting the concept of individual and community excellence.

Those are the stated ambits of the minister's responsibility. There is an additional section that says he can do whatever they give him to do. That's what it says. It says:

> In addition to the functions of the ministry mentioned in subsection 1, the minister shall perform such functions and duties as are assigned to him from time to time by the Lieutenant Governor in Council.

Now, I am told in response to a question that the Minister of Culture and Recreation is going to be responsible for the operation of the lottery. I say to you, Mr. Speaker, as a matter of principle, that is wrong; it's entirely wrong. The minister has nothing to do with the operation of a lottery, if the principle of acquiring funds for the purpose of public good is a valid principle, and I wish to accept it. But I say to the minister that I cannot accept that he, with the duties assigned to him, the explicit duties that we are told by the statute that he was to perform in the culture and recreation field, is entirely divorced from the raising of moneys by lottery, because what they are going to have the minister doing next is supervising offtrack betting. That is coming; that's the next thing to come. We might just as well recognize that now.

If this government has made a decision as a matter of policy that it is prepared to raise funds for public good, for public need, through the policy of accepting gambling as a legitimate method of raising state funds—

Mr. Lawlor: They are going to run the crown and anchor game down at the Canadian National Exhibition.

Mr. Bullbrook: That might be next. Offtrack betting will be next and then it logically falls upon the Minister of Culture and Recreation. You see, Mr. Speaker, the minister's responsibilities are so mutually exclusive. The operation of the lottery, if we are going to have it, should be and should continue to be with the Minister of Consumer and Corporate Relations—

Mr. B. Newman (Windsor-Walkerville): The Minister of Consumer and Commercial Relations.

Mr. Bullbrook: Well, that really isn't that important, is it? Consumer and Commercial Relations—whatever his name is, it should be with him. He is the one who is responsible for it. My friends on this side of the House are absolutely correct. The obvious fact is that this minister should have nothing to do with it. Under his statute he is supposed to go out and promote recreation, cultural activity, physical fitness, the arts. That's his responsibility. He is not to go out and promote the selling of lottery tickets.

But do you know the reason for it, Mr. Speaker? The reason for it is that the creation of his ministry was the creation of a government-subsidized arm of the Progressive Conservative Party, because that's all the minister is going to do.

The present minister has too much talent to be vested with the responsibility for this ministry. Look at his history. He aspired to become the Prime Minister of this province. He became the Provincial Secretary for Justice. He became the Attorney General of this province. He was Provincial Secretary for Social Development. Now no one for one moment can tell me that it requires a talent such as this to run a ministry called Culture and Recreation.

I have seen him in action. I have seen him in action in Sarnia—a charming, able person who will be able to walk in with the proceeds of the sale of these lottery tickets

and say: "Is there something you need? We will let you have it. Now, I am going to have to take this up with the incumbent member somewhere around. If it's in Sarnia, I am not sure I will deal with Bullbrook. I think we might discuss whether we should dispense some of this largesse with his colleague from Lambton."

That's what's going to happen. That's what's going to happen in connection with these funds. There is no doubt about it in the world and that is the reason why the Premier of the province decides that a man of this stature should be responsible for Culture and Recreation, because his responsibility in essence is going to be the distribution of these moneys.

Hon. W. G. Davis (Premier): The member has to be kidding. He has to be kidding.

Mr. Bullbrook: The first principle that's wrong, as I said before—

Hon. Mr. Davis: He makes sense some days but this time he is all wrong. He is all wrong.

Mr. Bullbrook: The first principle that I said that was wrong—

An hon. member: The truth hurts, eh?

Mr. Bullbrook: I want to tell you, Mr. Speaker, the Premier interrupts me and he is in no position to interrupt me having regard to the Pontius Pilate approach he has taken over the last couple of weeks in connection with party funding.

Hon. Mr. Rhodes: That's a lot of bull—brook.

Mr. R. G. Eaton (Middlesex South): The member never interrupts anybody, does he?

Mr. Bullbrook: So don't interrupt me.

Mr. Speaker: Order, please.

Mr. Bullbrook: I will talk about the principle of this bill as I see it. Mr. Speaker, as I said before, the first principle that's wrong is that a minister must be assigned responsibility in connection with legislation. We must know who the minister is who is responsible to us in this House, and that statute is deficient in that respect.

The second principle that's wrong is that the Minister of Culture and Recreation, having regard to his manifest duties, should not be the minister responsible for the carrying on of a lottery.

The third thing that's wrong is that there should not be a specific designation for the utilization of those funds after they come into consolidated revenue. I bring this to the attention of the Premier and his minister: When the government in effect earmarks these funds for culture and recreation, it stultifies itself. It establishes a position of priority with respect to these funds that it should not do. Having regard to the obligation of the people of Ontario; having regard to the fact that we presently have about $1 billion worth of deficit; having regard to the provision of health and medical services, I ask the Premier to consider this exaggeration—that a small community in northern Ontario doesn't have a hospital because there isn't enough money in the consolidated revenue fund to build it a hospital, but there's money available to build it some type of community centre. That's the type of thing, by exaggeration I admit, that could happen as a result of earmarking these funds.

On these funds, if they're to be accepted—and I'm prepared to vote to accept the concept of a lottery for the purpose of public need and public good—I say there should be, however, a positive response in connection with the three principles that I say are wrong with respect to the bill. We want to support the bill, but we want to make it a proper objective; we want the bill amended and we're going to do all we can.

In closing, I hope we receive the assurance from the minister involved that this bill will be sent to standing committee and that those people who wish to make public input will have that opportunity.

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Pursuant to the agreement which was reached earlier today, the House will now revert to the matter of ministerial statements, and I will hear from the hon. Premier.

ATHABASCA TAR SANDS

Hon. Mr. Davis: Mr. Speaker, as members of this Legislature no doubt are aware, I and my colleagues, the Treasurer of Ontario (Mr. McKeough) and the Minister of Energy (Mr. Timbrell), met yesterday in Winnipeg with representatives of the government of Canada, the government of Alberta and certain private petroleum companies involved in the development of the reserves of the Athabasca oil sands, located to the northeast of Edmonton.

The matter under discussion was whether or not the public interest and the interests of Ontario would be served by the early completion of the Syncrude project, a project designed to extract synthetic oil from the Mildred Lake site of the Athabasca sands at a daily rate of 125,000 barrels.

As hon. members are aware, the original participants were Canada-Cities Service Ltd., Imperial Oil Ltd. and Atlantic Richfield, each with a 30 per cent interest; and Gulf Oil Canada Ltd. with a 10 per cent interest. The escalation of costs and the resulting withdrawal of Atlantic Richfield Canada Ltd. resulted in the remaining partners concluding that they could not expand their commitment and continue with the project.

On Dec. 18, the government of Alberta issued an open invitation to the government of Canada and the governments of provinces to participate in the Syncrude project through taking up the interest of Atlantic Richfield Canada Ltd. The remaining partners in the project also approached the government of Ontario and the governments of Alberta and Canada in an effort to find additional capital.

Prior to our meeting of yesterday, the three governments examined in detail the causes of the escalation and the reliability of the cost figures advanced by the participating companies, and we have assured ourselves that the data upon which decisions were being based were reliable.

The three governments involved were in unanimous agreement that the project should be completed. Concurrent with my statement to the House here this afternoon, statements are being made in the House of Commons in Ottawa and in the Alberta legislative assembly in Edmonton to the effect that agreement in principle has been reached on a method of financing the Syncrude project and that the project will proceed without delay.

Essentially, the agreement deals with the intent of the three private companies involved to continue to bear 70 per cent of the cost of the project, and the three governments to take up the remaining 30 per cent. As the projected cost is $2 billion, this means that private enterprise will invest a total of $1.4 billion. The remaining 30 per cent—$600 million—will be shared by the governments of Ontario, Alberta and Canada, with our province investing $100 million, Alberta investing $200 million and Canada investing $300 million.

The governments of Ontario, Alberta and Canada will, respectively, hold five per cent, 10 per cent and 15 per cent and the companies involved will have 70 per cent.

Alberta, as I noted, is investing directly the sum of $200 million. But, in addition, Alberta will bear 100 per cent of the costs of a pipeline to transport the product to market and will bear 100 per cent of the costs of providing the needed electrical plant plus other infrastructure costs for an estimated total of $600 million. In addition to these two commitments, Alberta has also agreed to advance a further $200 million to private participants to facilitate the financing of their commitment.

I don't believe that all hon. members will be surprised at this announcement. It is apparent that Ontario has been supporting this project and did not want it to collapse, or indeed to be unduly delayed. Security of supply is important. As the National Energy Board report of October, 1974, confirmed, crude oil supply will become a problem in the early 1980s. Today we are taking a constructive step toward dealing with the situation.

But we are doing more than agreeing to invest in a secure supply of oil from a Canadian source. The oil sands and heavy oil in Alberta contain immense quantities of oil; the Alberta Energy Resources Conservation Board recently estimated that the sands may ultimately yield recoverable reserves of 300 billion barrels. At present oil consumption levels, these reserves could supply Canada's oil for centuries.

The Syncrude project is critically important to the ongoing development of the oil sands. Presently, three other plants are in the early planning stages. The National Energy Board supply forecast relied heavily upon oil from this source for Canadian supplies during the 1980s. The collapse or delay of this project, fundamental to the development of technology and the gaining of experience, would have serious implications to the development of this major resource.

Even if the need for energy is set to one side, there are great national benefits. This new public/private consortium is a major achievement in furthering the co-operation of the private and public sectors in the development of our energy resources.

The co-operative agreement between the governments of Alberta, Ontario and Canada creates a partnership that can serve to strengthen our bonds within Confederation. The energy situation is creating severe strain among governments, strain which we hope this co-operative initiative in energy might ameliorate.

It is understandable that Alberta should be concerned as to the depletion of its reserves of conventional oil. The people of that province have every right to expect that the people of Ontario, and more broadly Canada, will help to assure the development of resources with a long life and so ensure the future of subsequent generations of Albertans. This project, the precursor of more oil sands plants, will contribute immeasurably to the building of an industrial base in Alberta.

We in Ontario will also benefit. At the end of 1974 orders for the manufacture of major equipment by the factories of Ontario for the Syncrude project totalled $105 million, a larger sum than our proposed investment. The fact that the project will now continue means that Ontario's share of equipment purchases for this one project over the period of construction will total almost a quarter of a billion dollars. Some 29 per cent of the equipment ordered for the project will bear a "made in Ontario" label.

In Ontario terms, it is historic in still another sense. It is relevant to the Ontario Energy Corp. This government established that corporation to make investments that serve the provincial and national interest and assure the people of the province had adequate and secure supplies of energy. That instrument is now at hand and available and taking its first positive and measurable opportunity to contribute to the welfare of the people of this province.

Mr. Speaker: There was an indication earlier today that there may be some people with questions to ask. We didn't arrive at an agreement for limiting it or anything like that. Would we have just a few questions? We don't want the thing to develop into a debate, because this is not that sort of order.

We got unanimous consent to revert to ministerial statements, but we did not have that in connection with the question period. I would like some indication of how long the extension of the question period might be.

Mr. Breithaupt: Mr. Speaker, I think the understanding was that questions, as may be necessary, could be put.

Hon. Mr. Davis: There may be some questions. The only thing is that this is a ministerial statement; it has been made at 5 o'clock rather than 2 o'clock. I am quite prepared, and my colleagues are, to answer questions to the extent we can. We are not really prepared to debate it.

ATHABASCA TAR SANDS

Mr. Speaker: The member for York Centre?

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have a question of the Premier.

First of all, I want to commend the Premier and those who worked with the various parties to bring this partnership into effect, as we were all concerned about the situation.

What is the price per barrel that it is estimated the product from this Syncrude plant will be sold at and to what market? What is the estimated return on the investment that the government is proposing to make here, and when? Was Quebec invited ot participate in this project? And why is it not a partner since it is one of those markets that I think would be given assurance of future supply as a result of the project?

Hon. Mr. Davis: Mr. Speaker, quite frankly, I can't answer some aspects of the hon. member's question. On the question of floor price or upper price, the understanding was — and this was confirmed yesterday — that there was not to be a floor price, as was suggested by some.

Regarding the question about the percentage that would come to the Province of Ontario, Ontario is obviously the major consumer in Canada. In terms of total consumption, this would not represent a large portion. It is not a major portion of the total consumed. I can't say what percentage of 125,000 barrels per day, when it comes on stream, would actually flow into the Province of Ontario.

Obviously what we're seeking is security of supply in the development of this potentially tremendous resource; quite obviously our interest is having this in terms of security. But as to whether there will be 40 per cent, 30 per cent or whatever, I don't think we can determine that, certainly not at this stage.

About Quebec, I don't want to speak for any other governments, but I think other governments were aware of the suggestion that other provinces should participate. I can't comment as to why Quebec did or did not or whether they were officially invited to participate, although I do sense they were aware of it.

Mr. Speaker: Does the member for York Centre have another question?

Mr. Deacon: Yes, I would like to ask a supplementary on that. I wanted to find out—and surely the Premier would know—what is

the estimate on which the return would be based and what the return is, the estimate of the price per barrel and the estimated return; and when?

Hon. Mr. Davis: Here, Mr. Speaker, we get into the very complex area of what the world price of oil may be, say in 1978 or 1979. I think it's impossible to say that the price will be so much per barrel when it represents a percentage of the total consumption. It does relate, I think without any question, to what the world price may be when it comes on stream. I can't really help the hon. member much beyond that at this point.

Mr. Speaker: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): I have a supplementary question. I don't know why we're playing around with this. It is true, isn't it, that the Premier has agreed to an oil price, using the exact words of Donald S. Macdonald, "internationally oriented in 1979," which means a price per barrel—you don't have to be a prophet—considerably in excess of $12 and a cost to the Ontario consumer of something in excess of $1.50 per gallon of gasoline?

Now why has the Premier entered into that arrangement without any protection for the consumer of Ontario, particularly given the extraordinary statement by the former Minister of Energy that he would not tolerate an increase in the price per barrel and therefore in the price to the consumer?

Hon. Mr. Davis: Mr. Speaker, I think the hon. member, of course, doesn't quite understand it—

Mr. Lewis: The Premier will have his troubles on that.

Mr. J. A. Renwick (Riverdale): Perhaps he understands it too well.

Mr. Lewis: Perhaps I understand it well.

Hon. Mr. Davis: I know the member for Scarborough West has great insight as to what the world price may be in 1978 or 1979—

Mr. Renwick: We know what will be the world price.

Mr. Lewis: We know what will be the world price the Premier has signed to.

Hon. Mr. Davis: I don't think there is any question that the actual cost of production in this initial plant in the tar sands, in terms of cost related to the investment, will be in excess of what is the traditional production cost in the Province of Alberta. Even I can understand that. What also must be recognized—and I'm sure the member does—is that we are talking about a small percentage from this plant as it relates to the total consumption of the Province of Ontario. And to create the myth that somebody is going to be paying $1.25 for a gallon of gasoline as it relates to this—

Mr. Lewis: I said $1.50.

Hon. Mr. Davis: —when it may be five per cent of the total consumption, which would then be part of the total—

Mr. Lewis: Oh come on.

Hon. Mr. Davis: Well, that's right. Take 125,000 barrels a day and calculate how many barrels a day are used in the Province of Ontario at the price of gasoline, then the member will see, with great respect, that he is making a fiction.

Mr. Lewis: No, I am not.

Hon. Mr. Davis: It is only a part.

Mr. Lewis: No, I am not.

Hon. Mr. Davis: He certainly is.

Mr. D. C. MacDonald (York South): A supplementary: Can the Premier give his assurance that if the agreement that he has entered into is moving on the premise of accepting internationally-oriented prices for Syncrude, that it won't go to all oil in Canada.

Hon. Mr. Davis: Mr. Speaker, I can assure the hon. member, and I have made statements on this—as have the former Minister of Energy, the now Treasurer, and the new Minister of Energy, we do not, and we have never accepted the principle here in Ontario of world price for existing—

Mr. MacDonald: But now he has sold out.

Mr. Lewis: But he is doing it. He is opening the door here.

Hon. Mr. Davis: Mr. Speaker, if the hon. member would only recognize that in terms of the plant itself it could be that the actual cost of production for this limited amount of production, could be higher than world price. I don't know, because I haven't the same mystic ball he has available to him to predict world price in 1979.

Mr. Lewis: That is very nice. It is nice of the Premier to commit Ontario.

Hon. Mr. Davis: The fact of the matter is the reason the people in the member's party don't like it is that this government has, with the private sector, embarked upon something that has significance for the future of this country, and he and his people don't like it.

Mr. Lewis: To salvage the private sector, that is what he has done.

Hon. Mr. Davis: Not at all.

Mr. MacDonald: The Premier has been taken.

Mr. Lewis: He has been taken to the cleaners by Imperial Oil again. That's what has been done.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. W. D. McKeough (Treasurer, Minister of Intergovernmental Affairs): The NDP wants government to do it all.

Mr. Lewis: That's right, why couldn't the government do it all? Why can't the public sector do it?

Mr. Speaker: Order please. Does the member for Scarborough West have another question?

Mr. Lewis: I have another question. If I'm using a so-called crystal ball, how is the Premier persuaded of the $2 billion figures being turned out by the oil companies when even the Alberta study is not yet completed and when the study which Canada wanted is not yet completed? What legitimacy can he give to those $2 billion figures on which he is investing $100 million of Ontario's money?

Hon. Mr. Davis: Mr. Speaker, I think the member will find the Alberta study is completed and we've had access to it.

Mr. Speaker: The hon. member for Sarnia.

Mr. MacDonald: Supplementary question—

Interjections by hon. members.

Mr. Speaker: Order please, the hon. member for Sarnia has a question.

Mr. Bullbrook: All the Premier had to do was tell the leader of the New Democratic Party that the agreement wasn't tied into world oil prices without getting into a shouting match.

Mr. Lewis: Well it is.

Mr. MacDonald: It is.

Mr. Bullbrook: He hasn't told the member that yet. He never answered his question.

I want to ask the Premier a question in connection with his comment that Alberta will be responsible for the building of a pipeline to the markets. Where are the markets?

Hon. Mr. Davis: Mr. Speaker, obviously the markets are primarily, as they say out west, into some plants in Alberta and then here to central Canada. That's the phraseology that presently is used.

Mr. Bullbrook: But we understand that they are to be Canadian markets.

Hon. Mr. Davis: By and large.

Mr. Bullbrook: Without equivocation please! Do we understand that the agreement is that the Alberta government is to bear the capital cost of the pipeline to the Canadian markets? Is that right?

Hon. Mr. McKeough: No.

Mr. Bullbrook: It is not right?

Mrs. M. Campbell (St. George): Well, will one of them tell us?

Hon. Mr. McKeough: I think the pipeline which is contemplated by Alberta is from Mildred Lake to Edmonton, which presumably connects into the refineries at Edmonton or into the interprovincial pipeline in Edmonton.

Mr. Bullbrook: That is all.

Hon. Mr. McKeough: It is $100 million.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, by way of a supplementary question, is the Premier saying that his satisfaction in the last 24 hours on the reliability of the costs of this project is based upon the Alberta study? When was the Alberta study available and will it be made available in this House?

Hon. Mr. Davis: Mr. Speaker, I don't know whether it will be made available in this House or not. If the member for Riverdale feels he can analyse this, and determine whether the $2 billion is totally accurate or not, I'm delighted to have this suggestion. I can't give a commitment that that will be tabled here in the House.

Mr. Lewis: Oh thanks very much. It is only $100 million.

Interjections by hon. members.

Mr. Renwick: Imperial Oil gave the Premier a commitment for $2 million.

Mr. Renwick: Imperial Oil told the government what it was.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Supplementary on that particular point, Mr. Speaker: Does the Premier not think that while this report may indeed be very detailed and not perhaps understood by all the members of the House, it would be useful to have it available to other experts within our economy, since in fact the province is contributing a substantial amount of money to this project.

Hon. Mr. Davis: Mr. Speaker, I can give this undertaking, whatever is made available or tabled in Alberta that belongs to the Province of Alberta, we will certainly make sure it is available here. I can assure the hon. member that the federal government people looked at this as well.

I just want to make this point, Mr. Speaker, so that it is clearly understood. I'm not standing here today to say that in terms of total economic viability, in terms of saying to the members of this House that there aren't going to be some difficulties, that there aren't going to be some problems, as they relate to the development of the technology perhaps. I'm not going to guarantee perfection, I will admit this. I admit it and I enthuse about it. We are committing ourselves —yes, we are committing ourselves as a government representing the people of this province—

Mr. Lewis: Without any protection for the people of the province.

Hon. Mr. Davis: —because we think we have available in Canada a tremendous potential in terms of oil sufficiency.

Mr. Lewis: Good. Develop it publicly.

Mr. Renwick: Who is debating and who is answering questions?

Hon. Mr. Davis: It's time we got ahead with it as a national project. We are participating in it to see that it is done, because we think it's important in the long-term interests of this country. The people opposite can disagree.

Mr. Lewis: Nuts, nuts. The fact is there are no protections.

Hon. Mr. Davis: The member is wrong.

Mr. Speaker: The member for York South with another question?

Mr. MacDonald: Yes. My question to the Premier is this: What scrutiny was there of the $2 billion figure? Since the 1972 figure was $500 million and the Bechtel study six months ago was $848 million, and it is now being escalated beyond $1 billion, how did we jump from $1 billion to $2 billion? How does the Premier get that as reliable data?

Mr. Lewis: Boy, are we being taken on this one.

Hon. Mr. Davis: We accept—and I confess this; acknowledge it—the information was prepared by people who we do believe have as genuine an interest in the cost as we do, and these are the Province of Alberta and the government of Canada.

Mr. MacDonald: The Premier has been taken by Exxon for the last two years.

Hon. Mr. Davis: Mr. Speaker, I can only say this—

Mr. Lewis: Right.

Mr. Speaker: Order please.

Hon. Mr. Davis: If the government of Canada were to follow the route being suggested by the New Democratic Party of this province, and some of the other socialistically-oriented people, I can only make this prediction for you: If it were left totally to government—totally in this sort of environment—the cost would certainly substantially exceed—

Mr. Lewis: Not at all. Not at all.

Hon. Mr. Davis: —the kind of cost figure we now have.

Mr. Speaker: Order please. I think there have been several questions. It's developed into a debate. We will allow each opposition party one more question. Who will it be?

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Yes, I wonder if the Premier could tell us if efforts were made to interest or encourage any of the other provinces to participate other than Alberta and Ontario, and the extent to which

they went and the kind of replies that were received?

Mr. T. P. Reid (Rainy River): Like BC, Manitoba and Saskatchewan.

Hon. Mr. Davis: I can't speak with knowledge in that I wasn't there; but I understand there were.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: My question is a very simple one for the Premier to answer. Since this is $100 million of our money being invested outside the province without any guarantees, or, for that matter, specific information, could he please put it on the order paper and allow us a full-scale debate in the Legislature in the immediate future?

Hon. Mr. Davis: Mr. Speaker, I cannot give that undertaking today. Certainly I know the leader of the New Democratic Party would like to debate this.

Mr. Lewis: Yes. It is fairly important. That is what we are here for.

Hon. Mr. Davis: Certainly it is important. I just can't give that sort of commitment today, but I am prepared to consider it. I am prepared to consider it.

Mr. Lewis: Why not, Mr. Speaker—on a point of order to you, sir.

Hon. Mr. McKeough: He is riding his red horse again.

Mr. Lewis: The Premier's silly blue contraption has collapsed.

Mr. Deans: What about Ontario Hydro?

Mr. Speaker: Order please.

Mr. Lewis: The private sector does it; let them do it. Why the hell should this government bail them out?

Mr. Speaker: The hon. member for Scarborough West has a question.

Mr. Lewis: I want to ask the Premier: Why should he have any hesitation at all in allowing a debate in this Legislature on an investment of $100 million of Ontario's money in another area of Canada, when there is no other opportunity to debate it? Surely it is a fit subject for the order paper. And there is no information from the Premier as well.

Hon. Mr. Davis: Well, Mr. Speaker, at some point in time there will be estimates for the Ontario Energy Corp. I'm sure that would provide an ample opportunity.

Mr. Lewis: Next year. Later on this year.

Mr. Deans: A bit late.

Hon. Mr. Davis: But, Mr. Speaker, I can only say this: This commitment is made. I am prepared to accept the NDP leader's second-guessing and his judgement related to his point of view.

Mr. Lewis: I understand. Let's debate it.

Mr. Deans: But we are entitled to debate it.

Hon. Mr. Davis: It's already been expressed. I know what it is.

Mr. Lewis: What is he afraid of?

Hon. Mr. Davis: I'm not afraid.

Mr. Speaker: Order please. We will get on with the orders of the day.

Mr. Lewis: On a point of privilege, Mr. Speaker.

Mr. Speaker: Point of privilege.

Mr. Lewis: On a point of privilege, I want to put to you, sir, that there is real disrespect for the legislative process in this. I'm serious about that.

Some hon. members: Oh no, no.

Mr. Lewis: Mr. Speaker, we have—

Mr. Deans: There is nothing—

Mr. Lewis: Mr. Speaker, I am putting it to you that the Premier has just made a very major announcement. It involves an expenditure of $100 million after the debate on estimates for this year has closed.

Mr. Deans: And the estimates.

Mr. Lewis: It's a matter of enormous public importance. We are surely entitled to debate it. I don't understand the Premier's resistance. That's what we are all here for. I would ask you, Mr. Speaker, to ask the Premier to reconsider; it doesn't make sense.

Mr. L. C. Henderson (Lambton): Is the member opposed to the project?

Interjections by hon. members.

Mr. Speaker: Order please. The Speaker doesn't order the business of the House. I am sure much more information on this very interesting topic will come out in the next

little while, and undoubtedly in questions before the orders of the day.

Clerk of the House: Resuming the adjourned debate on the motion for second reading of Bill 191, An Act to incorporate the Ontario Lottery Corp.

ONTARIO LOTTERY CORP. ACT
(continued)

Mr. Speaker: The member for Wentworth I think had the floor, did he not?

Mr. Deans: Maybe we are going to use the money to pay for the oil.

Hon. Mr. Davis: No, no.

Mr. Deans: No. Where is the Premier going to get the money to buy the oil? Out of which estimate?

Mr. Lewis: The Energy Corp.'s.

Mr. Speaker Order please. We are in second reading of Bill 191.

Mr. Lewis: Imperial snaps its fingers and all of the Tories and Liberals jump. Every one of them jumps. Every one of them jumps like Pavlovian mutts.

Hon. Mr. McKeough: Who's Pavlovian?

Mr. Lewis: The minister is Pavlovian. I have never seen anything like it.

Mr. Speaker: We await the words of the member for Wentworth.

Mr. Deans: I am just waiting for things to die down.

Interjections by hon. members.

Mr. Deans: Mr. Speaker, I have come a long way in my view of lotteries. I used to be adamantly opposed to them. I have now moved to the position where I am not as adamantly opposed but I am still opposed to the use of lotteries for the raising of public funds for the undertaking of public projects.

Frankly I don't think that any government can fund major undertakings on the basis of the chance that someone may or may not buy a lottery ticket. I am really quite concerned that the government has taken the position, first, that it is going to earmark the money; and, second, that it hasn't sufficient confidence in its own capacity to manage the affairs of the province that it would fear it would be able to find the necessary funding within the normal funding processes—

Mr. Speaker: Order please. There is a great deal of background noise in the chamber. It is almost impossible to hear the member who is entitled to speak.

Could we have a little less noise please? Thank you.

The member for Wentworth.

Mr. Deans: They could tell me to speak up, I suppose.

I am really quite concerned when the government gets to the point where it doesn't feel that it is capable of managing the financial affairs of the province through the normal funding processes.

Mr. Speaker: Order please. We have asked that there be less conversation in the House.

Mr. Deans: Thank you. I have thought a lot about lotteries. I have wondered whether or not the government's move into lotteries wasn't, as was mentioned by one of the other members, perhaps one of my colleagues, an attempt to divert the public away from the major problems that confront it.

I recognize that it would be very difficult for the government to go to the sales tax or to the income tax or to the corporate tax at this particular point in time and to try to raise money for the very worthwhile projects that I hoped would be undertaken—

Mr. Lawlor: Order!

Mr. Deans: Thank you. I think I will have to have the member for Lakeshore appointed Speaker. I appreciate it.

Mr. Speaker: Who's the whip in that party?

Mr. Givens: It's all those back-benchers.

Interjections by hon. members.

Mr. Speaker: Would the hon. member for Wentworth continue with his debate?

Mr. Givens: He must like the member. He might have learned something.

Mr. Deans: I guess maybe he does, I don't know. I doubt it. I listened carefully to what the member for York-Forest Hill said, by the way. He read that very nice letter and he read it very well.

Mr. Givens: Did the member learn anything?

Mr. Deans: No, but the lady who wrote the letter, though, was very learned.

Mr. Speaker: Order please.

Mr. Givens: It wasn't a lady. That just shows the member wasn't listening.

Mr. Deans: Or the gentleman who wrote was very learned, and the member read it very well.

Mr. Speaker: Could we return to the principle of the bill? Order please.

Mr. Deans: The point that worries me about this is that I can see that the government may not have the capacity to go to the normal taxing sources; maybe it doesn't want to raise taxes elsewhere. But I think, in all fairness, that if the projects that the government intends to fund out of the lottery moneys are worthwhile at all, then they are projects that should be undertaken within the normal funding programmes.

Interjections by hon. members.

Mr. Deans: That's right. The government shouldn't tie them in any way to the chance that perhaps it will be able to raise money through a lottery, because at this particular point in time there is the great likelihood that there will be less and less disposable income in the hands of the people of the Province of Ontario.

Given the housing market, given the rising cost of living, given the increases in taxation, there will be fewer and fewer dollars available to the majority of young people, at least, in the Province of Ontario, with which to buy tickets in a lottery, and the majority of people aren't going to be able to embark on this frivolous get-rich-quick scheme of the government of Ontario, and by far 99.9 per cent of them will derive absolutely no benefit from it whatsoever.

I suggest to the minister that before he embarked on a lottery he should have done a complete reappraisal of government spending in every single ministry, that there should have been an attempt made by this government to rationalize its spending, that there should have been an attempt made by this government to ensure that the dollars that are currently being raised through the various taxes that are imposed were used as wisely as possible before he resorted to a game of chance, the purpose of which is to fund a number of programmes which are currently deficient in the Province of Ontario.

Quite frankly, I don't agree with this system of government. I don't think that this is what government was ever intended to do. I don't think that when governments were first instituted, when people thought of the need to have government, that they ever considered that the government would embark on a get-rich-quick programme for people and sell lottery tickets, hoping somehow or other to raise an additional amount of money for the public use.

I think that given the number of service clubs and small municipal operations that currently involve themselves in a small way in the sale of lottery tickets for putting in chidren's playgrounds, or for providing the wherewithal to put new sand in the ball diamond or to provide for the repainting of the local town hall, okay, that may well be a worthwhile undertaking for them. That gives them something to work at, some kind of a project and a way of raising money for their own particular use.

But in an overall basis in the Province of Ontario, run by the government, it's not in keeping with the best government tradition. This is not the way to fund government programmes. If the programmes can't be funded through a proper taxing system that will raise money on an ongoing basis, for which there will be some reasonable guarantee of a source of income to continue the programmes on beyond one year or two years, if we can't do that then the introduction of a lottery isn't going to make any substantial difference to the financial position of the province.

Interjection by an hon. member.

Mr. Deans: I think the minister might have encouraged the various social agencies, the various social groups in the province who are undertaking fund-raising projects, to go ahead and use that system, if they wish, in a small way for one-shot proposals. Frankly, I don't agree with the idea of a government embarking on government programmes, programmes on behalf of people that will carry on long beyond this government, and basing the financial backing for the programmes on the ability to sell a few tickets door to door on a lottery that may or may not turn out to be successful. I find that completely foreign and it alienates me from the whole process of government.

I don't agree with it and frankly, I don't think I can support that as a government programme. I think that the government is making a drastic mistake.

Mr. Speaker: The member for Nipissing.

Mr. R. S. Smith: Mr. Speaker, I have a few comments I would like to make in regard to the bill, particularly in regard to the operation of the lottery. I disagree with the posi-

tion taken by the last speaker and I feel that the society in which we live is prepared to accept government lotteries. In fact, this government has been involved in lotteries for the last four or five years through its issuing of licences to lotteries operated by other organizations, whether they be charitable or not. They have, in effect, been taking a percentage off the top and that has provided an income to both the province and the municipalities concerned.

As well, as I understand it, through the agreement with the lotteries that are being operated to support the Olympic Games, if I am not mistaken some percentage of that money has been kicked back to the Province of Ontario over the past year and a half. In effect, the Province of Ontario has been in the lottery business as a partner with Canada and with Quebec, so it's not something new that we're entering into. In fact, the only difference is that it will be operated directly by the province itself. There's also the fact, according to the statement by the minister the other day, that apparently for the first time we will have the direction of incoming funds to make specific payments for specific programmes; that's covered under section 9.

But as I read section 9, I think you could really drive a truck right through it; I don't know whether there is a change of policy or not. As I read section 9, the government could decide next year that the moneys raised through this lottery weren't going to be used for cultural and recreational purposes, but that they could be used for hospital purposes or any other purpose.

Hon. Mr. Welch: Not without amending the statute.

Mr. R. S. Smith: Section 9 does not say specifically that those moneys have to be used for that purpose.

Hon. Mr. Welch: It certainly does say it, as I read it.

Mr. R. S. Smith: It may, the way the way the minister reads it, but that's not what it says.

Section 9 does not say that these moneys have to specifically go for that purpose. I think that if section 9 were rewritten we might have a definitive statement insofar as specifically tying those moneys to those certain programmes. But the way section 9 is written in this bill, I think the minister's statement the other day was rather misleading to the great number of people he had sitting up in the galleries, when he said that these moneys would be available for recreational and cultural purposes in perpetuity. I think the government can change it any day it wants, according to section 9.

Hon. Mr. Welch: Not without changing the statute.

Mr. R. S. Smith: Well, I disagree with the minister—

Mr. B. Newman: The clause says "may direct."

Mr. R. S. Smith: The statute says "may direct." It does not say it "shall direct" all the funds.

Mr. Roy: He can do what he wants.

Mr. R. S. Smith: The government can do what it wants with the funds, and the minister is simply pulling the wool over the eyes of people who were sitting up in the gallery and whom he took downstairs and told what a great thing he was doing for sports and recreation. I don't agree that was proper. In fact, it was in effect using the question of where the money was going to placate some people who may well not have agreed with the imposition of a lottery at this time.

Hon. Mr. Welch: Well I'll have my opportunity later, but the word "may" isn't used there with respect to the availability. The word "may" has to do with the—

Mr. Speaker: Order please. At this time we are debating the principle of the bill.

Mr. R. S. Smith: Well I'll read the section then.

Hon. Mr. Welch: That might not be a bad idea.

Mr. R. S. Smith: I will read the section to the minister, so he may understand. He likely shall not understand, but he may understand!

Mr. Speaker: We're just debating the principle of the bill, I might point out.

Mr. R. S. Smith: Well, this is one of the principles of the bill. I'm talking to the principle of government which the minister says is being changed by this bill. The principle of government up to this time has been that no moneys that come into the coffers of the province are directed to any specific programmes. So section 9 is a very basic principle of the bill. I'll read the section. It says:

> The net profits of the corporation after provision for prizes and the payment of expenses of operations shall be paid into the consolidated revenue fund [and if we stopped there, we'd be within the present policy] at such times and in such manner as the Lieutenant Governor in Council may direct to be available for the promotion and development of physical fitness, sports, recreational and cultural activities and facilities therefor.

I read that to mean that the government can do what it likes with the money when it likes. And I think the minister had better get advice from legislative counsel before we proceed any further. If, in fact, it is the intention to direct the moneys without any undue change, perhaps the minister could have an amendment prepared for second reading.

That is the one complaint I have about the bill; that people are being misled by section 9.

Hon. Mr. Welch: That is not a fair comment.

Mr. R. S. Smith: Well, it is the way it is written.

Hon. Mr. Welch: That is not fair.

Mr. R. S. Smith: It is badly drafted then.

Hon. Mr. Welch: No, the member is not interpreting it correctly.

Mr. Speaker: Order please. Debate the principle, whether you are in favour of it or not; that point can be ironed out in committee later.

Mr. R. S. Smith: I don't know what the principle is here.

Hon. Mr. Welch: I think the member should really take the advice of a lawyer on how to read that section.

Mr. R. S. Smith: Well the way I read it, I get my legal advice—

Hon. Mr. Welch: That is not fair.

Mr. Speaker: Order please. Will the hon. member continue with his debate of the principle?

Mr. R. F. Ruston (Essex-Kent): With all those interruptions from over there what can he do?

Mr. R. S. Smith: The minister keeps interrupting me.

Mr. Speaker: I have heard several interruptions. Will the member continue with his remarks?

Mr. R. S. Smith: I will get my own legal advice. I won't depend on the minister's advice.

Mr. Roy: I can do just as good a job as the minister in drafting bills; I can tell him that.

Mr. R. S. Smith: The problem is we all pay too much for legal advice, no matter where we get it. But that's another question.

Mr. Breithaupt: Free advice is worth what one pays for it.

Mr. R. S. Smith: I still maintain that section 9 allows the government to direct the income from the lotteries to wherever it may think it can be best used; and that it does not directly tie it to the areas of culture and recreation.

Another point I would like to make is: Who is going to do this? Who is going to sell these tickets? Who is going to be responsible for the distribution? I would suggest to you, Mr. Speaker, that perhaps the liquor stores of the province might be the best place to put it so that we can keep the patronage all in one place.

Hon. Mr. Welch: Keep what?

Mr. R. S. Smith: Keep all the patronage in one place. We won't have to hire another army of Tory hacks in order to sell lottery tickets, the same way we had to hire them to sell liquor. We should put all our vices and all our Conservative friends in one spot and put them in the liquor stores.

Hon. Mr. Welch: Is booze a vice?

Mr. R. S. Smith: It depends on how it's used. It just depends on how many tickets one buys whether it is a vice or not. I am sure there are many of us here who can go in and buy one or two tickets and it won't be a vice. But if we buy more than that, it may be a vice. Isn't that what the Anglican church teaches? The Catholic church teaches me that.

Anyway, I should hope that in the establishment of the method of sale of these lottery tickets, that it does not become a political gimmick by which the distribution is under the sole control of people appointed on a political basis, shall we say.

We even had that with the fishing licences in this province. If one didn't belong to the

party on that side, he couldn't sell fishing licences. Or if he was not approved by the defeated Tory candidate, he couldn't sell hunting licences.

And now it is going to be that one can't carry around a book of lottery tickets, perhaps, if he isn't approved by the defeated Tory candidate. That is not an impossibility when you look at the way things have been done so far.

Those are the comments I would like to make, Mr. Speaker. I would like to remind the people in the cultural and recreational fields that I hope the minister brings in an amendment to make it mandatory upon the government to pass the moneys on in that direction and that those moneys be expended in that way.

Mr. Speaker: The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Mr. Speaker, I would hope that the minister, when he is responding, will quietly bare his soul as to what the attraction was in this ministry to go from Attorney General to Minister of Culture and Recreation. Most of us would be very interested in knowing that.

Mr. Breithaupt: A change is as good as a rest.

Mr. Ruston: Changes every year though?

Mr. Laughren: Without implying what the member for Sarnia did, I would be very interested in knowing that; knowing the interest that the minister has shown in the past, from his chequered career.

I might say though, Mr. Speaker, with a slight diversion from the principle of the bill, that the minister might like to know that he is one of two leadership candidates that Ross Shouldice did not support financially in 1971. I thought he'd like to know that it would make him breathe a little easier. I say that, Mr. Speaker, in the hope that he will not be tempted to give Mr. Shouldice an appointment on the board or even to allow him to dispense lottery tickets throughout the province. I think we need to have those assurances from ministers of this government. I think perhaps it should even be written into the bill.

The principle of lotteries, Mr. Speaker, rests quite easily with me as long as the funds are being used for the delivery of marginal services and not essential services in the province. That's the responsibility of taxation. I would hope that the government doesn't get into the position of using the lottery funds to bail it out of fiscal deficits and so forth or for essential services. That truly would be offensive.

I'm a little concerned about who buys lottery tickets and to whom the benefits go from the revenues. I have a feeling that the people who buy lottery tickets are, by and large, the working men and women of Ontario who will buy the majority of the tickets. If the profits that accrue from the sale of those tickets go to provide the kind of cultural amenities that traditionally those people have not received benefits from, then that too would bother me a great deal.

I think the government is going to have to watch very carefully who are buying the tickets and to whom the benefits are accruing from the profits on the sale of those tickets. I think also of the regional aspect of the disbursement of funds. If there is going to be a substantial number of dollars going into physical fitness, sports, recreational and cultural activities, then I would hope that those funds could be used to help northern Ontario and, I suppose, eastern Ontario as well, as my colleague from Stormont mentioned, catch up with the rest of Ontario, particularly the "golden horseshoe."

I won't go into a listing of all the amenities that are here and are not up there, but I think the minister knows very well that there are many of them. To date, there has been very little attempt even to take those cultural amenities and the other recreational facilities in a portable sense or a mobile sense to the rest of Ontario. There has been a little bit of movement there, but not very much.

I hope that the ministry will see that there is a great need for that and will make a serious effort to provide some amenities in northern Ontario. I'm not talking about just the major metropolitan centres. On the contrary, there are all sorts of isolated communities in the north that have no facilities whatsoever for recreation. None at all. Those are the kinds of communities that could benefit most from it.

I've seen many small towns where there is a school and that is it. Very often in those small communities that school is closed to the public in the evenings. Despite all the talk from the Ministry of Education and select committee reports, those schools remain closed. There is a need for the government to provide some of the services in those small communities because the social cost in not having recreational facilities is evident in what happens to young people in those communities. I think it's a serious problem and I

hope that the minister will attempt to do something about it.

I'm worried about the management of the lotteries and the distribution of the funds, as I say, and I trust that something will be done about that as a watchdog on it. One way, of course, would be to ensure that on the membership of the corporation, of which I believe there are to be—

Hon. Mr. Welch: Up to seven.

Mr. Laughren: —seven, there will be regional representation. There's nothing in the bill that suggests that this will be the case. I will be concerned if the people on the board are all from southern Ontario.

When I say there should be representation from the north, for heaven's sake, Art and Grace Grout don't need another appointment. Think about dispensing some of the largesse and some of the appointments among other people in northern Ontario.

Mr. W. Ferrier (Cochrane South): Uncle Wilf has never got a job yet.

Mr. Laughren: Let's not get Uncle Wilf in on it, either.

So, Mr. Speaker, I am uneasy about the bill. I hope that the funds that accrue to the government are wisely dispersed. Thank you.

Mr. Roy: Mr. Speaker.

Mr. Speaker: The hon. member for Ottawa East.

Mr. Roy: I had occasion to listen to the discussion between my colleague from Nipissing and the minister, and I want to point out to the minister that I think the very least he can admit is that the drafting of that particular section is ambiguous. I have an idea of what he wants to achieve by that particular section, but it doesn't say exactly that. For instance, let's say, and I think I'm right—

Mr. Speaker: Order please, that point can be debated in committee. It is the principle of the bill which is to be debated.

Mr. Roy: The most important principle, Mr. Speaker, if I just might—

Mr. Speaker: Yes, may I just point out that you are haggling over the details of the bill and I think you should debate the principle of the lottery.

Mr. Roy: No, no, all I want to—

Mr. R. S. Smith: The principle is where the money goes.

Mr. Roy: Mr. Speaker, one of the major principles of this bill is that the funds will be earmarked for certain specific purposes, and what we are saying is that because of the drafting of that legislation the bill doesn't necessarily do that. Surely that's the most important principle of this bill.

What I want to point out to the minister, Mr. Speaker, is that at the very least the Lieutenant Governor in Council may direct or may not direct at all. It doesn't say "shall direct." When the section says "to be available," what does that mean? Why don't we have something like "shall be used for the following purposes"? What I want to say to the minister is that the draftmanship of that—

Mr. G. W. Walker (London North): Don't get into details.

Mr. Roy: —particular section is not all that clear and it is confusing. It is short of commas and the bill does not specifically make it mandatory for that money to be earmarked for the purposes of physical fitness, sports, recreation and cultural activities. Mr. Speaker, I want to make some general comments about the bill and possibly emphasize, and repeat I suppose, what some of my colleagues on both sides of the House have said about the bill.

I would think that the creation of a lottery in Ontario was something which basically was forced on this particular government, and I think for good reason; that there was so much Ontario money from residents of Ontario being funnelled out of the province. Whether we are talking about the Irish Sweepstake or the Quebec lotteries in the Ottawa area, small lotteries which were permitted under the Criminal Code could not compete, for instance, with Loto Quebec—and that is something I've mentioned to the Minister of Consumer and Commercial Relations on a number of occasions. Of course, with the Olympic lottery now, we have tremendous amounts of money being funnelled from this province to other jurisdictions, and I think that what the government is basically doing here, Mr. Speaker, is creating its own lottery so that—since the residents of Ontario have proven that they are prepared to buy lottery tickets in as large a number as any other jurisdiction —at least the moneys will stay here to benefit certain activities going on in this province.

As our House leader has mentioned, we are very much interested in knowing from the minister what the arrangements were with, for instance, the Olympic lottery, and how

long they are going to go on in light of the fact that they are facing a relatively large deficit. What we also want to know is when does the minister plan to have this lottery start? What is his target date? Is it sometime after the Olympics or is it sometime before?

Mr. Speaker, one of the areas that is of great concern, and it has been mentioned by a number of members, including my colleague from Nipissing, is that this lottery will be an ideal vehicle if this government wants to start playing politics and start dispensing favours. In fact, the announcement had hardly been made when people were already calling up members saying, "I want to be an agent. I want to sell those tickets. I want to get hold of my member to see whether I can't get something out of this."

It is going to be interesting to see which members are going to be named to the corporation. It says here "three and not more than seven," and I would think that the minister is going to have trouble appointing seven. I don't think there are seven Tories in this province who are out of work presently at the rate that this government has been appointing them to boards and commissions.

Mr. B. Newman: They will be shortly.

Mr. Roy: If we wait a while, if we wait through this year, 1975, it may well be that many of those people opposite will be out of work. It may well be. And then there will be jobs for them, but I'm not guaranteeing that they will make it on this particular lottery. There might be some consideration made, Mr. Speaker, to naming some of these good people, on the left there, as agents. We might name them as agents if they behave. But there is just no way they are going to make it on that commission, I can tell them that.

Mr. J. A. Taylor (Prince Edward-Lennox): Is the member for it or against it?

Mr. Roy: So, Mr. Speaker, we are saying to the minister, don't, with any undue haste, start naming people all over the place until the public of this province have had an opportunity to decide how good a job the government has been doing since 1971.

Mr. Walker: Is the member supporting it?

Mr. Roy: This has been mentioned as well by my House leader, Mr. Speaker—I think it is important that this legislation goes to standing committee. It is a new step; It is something on which the province, as such, has no precedent. I think it would be important, to send the bill to standing committee, to give the public of this province an opportunity to express some views. I think the member for Lakeshore mentioned the fact that the bill was before us when the announcement was made on Jan. 30. I suggest, Mr. Speaker, that that is not sufficient time for the public to have sufficient input into the legislation. I would encourage the minister to do it. The government has got a lot of catching up to do as far as standing committees. No doubt the ministers are aware of a bit of research that was done by my colleague from Sarnia about how many bills are going to standing committee. It's difficult for us to go across this province and preach to the public that we are interested in having their views, when throughout, what is going on in this House is going through the House without going into standing committee.

Mr. J. M. Turner (Peterborough): That's not true.

Mr. Roy: Well, my colleagues want to argue with me—

Mr. Speaker: Order please, it has nothing to do with the principle of the bill.

Mr. Roy: Pardon me?

Mr. Speaker: It has nothing to do with the principle of the bill.

Mr. Roy: Well, I think it's an important principle that this bill go to standing committee.

Mr. Speaker: You have made your point. It is not debatable.

Mr. Turner: Let the member just tell us, not keep us in suspense.

Mr. Roy: Mr. Speaker, in closing I do not want to repeat all the points given by my friend, but I trust that the minister will send it to standing committee so that we can get full airing of different views, or what the minister's thoughts are, in the implementation of this bill, and so that we can amend section 9.

Mr. Speaker: The hon. member for Cochrane South.

Mr. Walker: Does the member support it or not?

Mr. Roy: We are for it.

Mr. Walker: Get on the record.

Mr. Ferrier: Mr. Speaker, I enter the debate with some ambivalence. I recognize that lotteries, and selling of tickets, and

gambling have become a way of life in this province with a lot of people.

Mr. Turner: Tell us about it. The United Church members support it.

Mr. Ferrier: A number of us, I suppose, speak with forked tongues in the fact that we have bought many tickets. But I can also remember the number of sermons that I have preached in times past about this very subject. It's not all benefit as seems to be suggested by some people. I think the needs of this province need to be funded by the taxation revenue that can be gained from legitimate sources, and that legitimate needs should not be at the whim of a particular lottery.

Mr. J. A. Taylor: How about adjourning?

Mr. Ferrier: The fact that we are now moving in this legislation to have a lottery which is approved by the province is opening the door for not just this, but offtrack betting and so on it goes.

Mr. J. A. Taylor: Does the member think he could stop and adjourn this debate?

Mr. Speaker: Order please, perhaps before the member gets into the body of his remarks he might—

Mr. Ferrier: I have a few more remarks that I would like to make, Mr. Speaker, and I would be pleased to resume at 8.

Mr. Speaker: Well, we want to adjourn the debate.

Mr. Ferrier moves the adjournment of the debate.

It being 6 o'clock, p.m., the House took recess.

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No. 173



Legislature of Ontario Debates

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Evening Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 4, 1975

The House resumed at 8 o'clock, p.m.

ONTARIO LOTTERY CORP. ACT

(concluded)

Mr. Speaker: When we rose at 6 o'clock, the member for Cochrane South had the floor. He may continue his remarks.

Mr. R. F. Nixon (Leader of the Opposition): The spokesman for the United Church of Canada.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, when the House rose at 6 o'clock I had stated that I had some ambivalence about this particular bill.

Mr. I. Deans (Wentworth): And now he is opposed.

Mr. Ferrier: As a matter of fact, I was stating the things that I think need to be done, that we should accept responsibility for them and finance them from the general taxation revenues of the province. I don't feel that this way of supporting culture and recreation, as it is probably designed to do, is very meritorious.

It used to be, before there were the amendments to the Criminal Code, that political parties depended a great deal on draws and the selling of tickets to finance a number of their operations; with the amendments, of course, that wasn't possible. Now the federal government has changed its approach and has a bill with regard to political financing, and I think we are probably going to have one too, which suggests that people who believe in a political party and a political process will have a chance to make their contribution towards it, with some money being paid out of the public funds, because this is a necessary part of life in our province today.

Already the debate on this bill has triggered questions about political patronage—

Mr. R. F. Nixon: Surely not!

Mr. G. Nixon (Dovercourt): The member's colleague did.

Mr. Ferrier: —and how tickets are going to be distributed; and already there are many suspicions—

Mr. R. F. Nixon: That's terrible.

Mr. Ferrier: —so that even in the debate on principle it raises and brings to mind, amongst some of the members of the House, a side of life that is better done away with.

I think the principle that is inherent in lotteries is in many ways a denial of responsibility. It caters to two things. I think it caters to greed in people who want to get rich fast.

Mr. R. F. Nixon: That's a mortal sin.

An hon. member: What can they lose?

Mr. Ferrier: It caters to those people in many cases or to the poor and the people in our society today who are hard-pressed by our system and are grasping for some way to get out of their financial burdens, as though the difficulties of life and the burdens that we are required to bear can be done away with by chance.

Mr. R. F. Nixon: They might win.

Mr. Ferrier: Well, they might win but—

Mr. G. Nixon: They might not.

Mr. Ferrier: —a lot of these people can ill afford to be buying lottery tickets—

Mr. R. F. Nixon: Right on.

Mr. Ferrier: —of $10 and so on, yet they are the ones who do it. I know in bingo when I lived in—

Mr. R. F. Nixon: The United Church has bingo in Timmins?

Mr. Ferrier: No, they sure as heck don't. I would like to hear what the Leader of the Opposition, as a prominent United Church layman who is going to be one of the leaders in this province, has to say about this bill—

Mr. R. F. Nixon: Okay.

Mr. Ferrier: —and how well he has been listening to the messages from that pulpit in St. George.

Mr. R. F. Nixon: We have a totally reconstructed minister.

Mr. Deans: What was he before?

Mr. Ferrier: Maybe so, and maybe not. But this idea, this philosophy says that the good life is dependent on money and material things and getting rich. A lot of people in society believe that today. Our whole economy is to make people want to buy things and so on. This is the pervading atmosphere here, but I don't think that we necessarily need to go along with that or to give it the support that the government is giving it by enshrining it in a bill.

Mr. Deans: Withdraw the bill.

Mr. Ferrier: I remember preaching a sermon in a Presbyterian church in Timmins not too awfully long ago—we have the ecumenical spirit up there—and I remember quoting from a statement of Robert F. Kennedy when he was the Attorney General of the United States. It was his opinion, based on many investigations and statistics that came back from him, that there was a direct tie-in between organized crime and gambling.

Mr. R. S. Smith (Nipissing): What about the booze he lived on?

Mr. Ferrier: Oh, sure. The widespread use of booze and over-indulgence in booze are no better than this kind of licence either.

Mr. R. F. Nixon: It is more serious than we thought.

Mr. Ferrier: Sure it is, but the truth of the matter is that this is not enhancing the moral life of the province by any stretch of the imagination. We have gone through a process in our political life today where we have seen one of the most morally degenerate administrations, I suppose, that the world has ever seen over in the United States where people were getting down and praying on Sunday and so on and yet were engaged in the crookedest kind of things that one ever could see.

Mr. R. F. Nixon: That was that fellow named Nixon.

Mr. Ferrier: They were talking about law and order and yet there was the worst disorder that one could see and the most degenerate administration that one could ever imagine.

Mr. A. J. Roy (Ottawa East): That's what George used to say.

Mr. Ferrier: Even in this province the politicians are not above disrepute or above suspicion. I remember canvassing in my first election and introducing myself to a person in a little community and she says: "Oh, you are one of those politicians. You are a no-good so-and-so." People aren't always appreciative of the wonderful qualities that we think we have.

Mr. R. F. Nixon: We appreciate the member.

Mr. J. E. Stokes (Thunder Bay): Never mind. We love the member.

Mr. Ferrier: I don't think any country or any province necessarily makes progress in a downward direction and I think that the government is moving downward in this particular piece of legislation. I would hope that there would have been a little more leadership shown at a time like this. But I suppose it's a popular thing, now that the national lottery is pulling in the money that it is, and with the so-called popularity of the Irish Sweepstakes, that we've got to get on the bandwagon.

Mr. Deans: Look how well they're doing.

Mr. Ferrier: It's a popular thing to do, and so on. Well, I think it's as much expediency as anything.

An hon. member: He's right.

Mr. Ferrier: I know that they are laughing at me and think I'm a darned fool, but—

An hon. member: No, we think he's right.

Mr. R. F. Ruston (Essex-Kent): We need his words of wisdom.

Mr. Ferrier: —I think that some of these things need to be said and that we need not lose track of the fact that the moral quality of our province sometimes needs to have some special attention paid to it.

Mr. Roy: He's darn right.

Mr. Ferrier: The Irish Sweepstakes were supposed to be a way of financing the hospitals in Ireland. The amount of money that actually got into the hospitals after the prizes were paid and the administration, and all that kind of stuff was looked after, was a mere pittance.

The culture and recreation of this province has significant value, and the government is enhancing it with a new status. It is putting it in a ministry and saying that it wants to in-

crease our culture in many facets and many ways, and they need money for this. But I don't think funding it through a lottery is being consistent. I think that if it is as important as the government says it is, it would provide moneys out of taxation revenue.

Mr. Deans: Absolutely.

Mr. Ferrier: I don't know whether we're going to have a division on it or not, but I know there are differences of opinion on it. Not too many think the way I do; but if there's a division, I'll vote against it.

Mr. Deans: Just judging from the numbers opposite, they wouldn't want it.

Mr. Roy: Good for the member for Cochrane South.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I wanted to make a few comments on the bill, An Act to incorporate an Ontario Lottery Corp.—and really speak in favour of it.

The principle of the bill establishing a provincial lottery is one that—as the previous member had made mention—I'm sort of ambivalent about. I don't approve of this method of raising funds, yet I look back in my own community and see the hundreds of thousands of dollars that are being siphoned away from the community, going into the Michigan state lottery. This is a lottery that is held on a weekly basis and nets the State of Michigan some $46 million to $60 million a year. And I wondered, Mr. Speaker, when the Province of Ontario was going to get into the line-up of jurisdictions attempting to raise funds by means of a lottery.

In no way are we going to eliminate gambling, whether we have the lottery on the provincial level or not. People are going to gamble. They're going to buy tickets on sweepstakes, on basketball games, on hockey games. Just name it. The desire to get something for nothing, so to speak, is inherent in all of us. There isn't one of us here who hasn't supported types of lotteries. Maybe we have even conducted a lottery of our own. When we were a little younger and attempted to raise funds for a softball team or for a basketball team, we quite often set up a little lottery. We may have written out tickets and sold them to friends and neighbours, giving some portion of the total receipts to the winner of a ticket that was drawn.

That is going to continue. Even though the province may get into a lottery, and even though the federal authorities may continue with lotteries, we are still going to have these small lotteries conducted in municipalities. You'll still find, Mr. Speaker, that certain service clubs, groups and organizations are going to conduct lotteries. They may not raise the same amount of funds that they have raised in the past because they will be raising funds essentially from their own membership, rather than the community at large.

The province, by the setting up of a provincial lottery, is, as I made mention, going to obtain substantial funds, but the funds from this lottery, Mr. Speaker, are apparently going to be directed, and I think this is wrong. I don't think the funds should be directed. I think they should go directly into the consolidated revenue fund, as they are going to go according to the legislation, but they should be spent in areas that are of substantial need.

I know the minister will say that in physical fitness there is the need, in sport there is the need, but where was this government back in the late Fifties and early Sixties when they were spending $26,000 a year on fitness and $180,000 a year on racehorses? So, Mr. Speaker, you can see where over the course of approximately 15 or 16 years their priorities have changed from a minuscule one-half of one cent per capita they are going to now provide substantial funds to sports, recreation and to culture.

I am pleased to see that some of these funds are going into athletic endeavours. Canada has attempted in the past to make a fairly good show with its athletes in international competition. They have always worked under a real handicap. Facilities were lacking throughout the country. The athletes were enticed to go into the United States where they either received better coaching or received financial assistance to complete their education, but a lot of that is changing today. Athletes now are a little more nationalistic in their outlook and would prefer to remain within the confines of Canada or the Province of Ontario as they seek to excel athletically in an attempt to show to the nations of the world that we, too, in Canada can compete with the best and present a creditable showing. I hope the day is not in the too far distant future when our athletes not only compete with the best in the world but show that they are some

of the best in the world in all areas of athletic endeavour. Likewise in the fields of culture—referring to all the arts.

For too long, Mr. Speaker, the athletics commissioner has been sort of looked upon as an individual who gave out baseball bats or gloves, or hockey gloves and other minor equipment as a big favour to athletic groups and organizations in communities, and I am afraid that this ministry is going to simply do exactly that same thing, but now on a big scale. It is going to attempt to perpetuate itself in office by doling out funds to almost every organization that puts in an appeal for funds. Naturally there are going to be criteria set up, but you can rest assured that when it comes closer to an election, some of the criteria may be set aside and expediency is going to be the concern of the government in the interest of perpetuating itself in office, as it doles out assistance to worthwhile groups and organizations in the sports and culture field.

Mr. Speaker, I would have preferred to have seen the government raise its funds by a better method than this, but as I said earlier, people are going to gamble, they are going to buy lottery tickets from other jurisdictions, and if they are going to do that we might as well take advantage of their weakness and get some revenue from it.

One of the things that does disturb me, Mr. Speaker, is that there are going to be a lot of individuals who cannot afford, really, to purchase these lottery tickets who are going to buy them. I can see people on pensions who really need every dollar to maintain their standard of living who are going to be looking at the end of that rainbow and buying lottery tickets, plural, rather than the one ticket, hoping that they're going to be successful and find themselves at least living the later years of their lives in by far better straits than they have to live today. I can see, likewise, individuals on socal service benefits who are going to hold back $1 or $2, maybe even $5, in an attempt to buy an Ontario lottery ticket hoping they may become wealthy overnight.

Mr. Speaker, I can recall that the desire for a lottery has been expressed by municipalities throughout the Provinue of Ontario for years now. I think in my earlier comments, when we debated a private member's resolution on a lottery, I made mention that back in the year of 1962 the council of the city of Windsor suggested to the province that lotteries be permitted for charitable purposes. You can see that the idea is an old idea, the idea of raising funds for charitable purposes by means of and through a lottery.

Mr. Speaker, I can recall likewise the mayor of the city of Windsor, Mayor Bert Weeks, commenting at one time, prior to having been elevated to the high office of mayor, suggesting that there be a municipal lottery. At the time that the heart-lung machine was an extremely popular issue in the community; at that time the lottery was sort of designated to raise sufficient funds to provide a heart-lung pump and ancillary facilities for a hospital in the community so that the city of Windsor would have the facilities to take care of patients who would need heart-lung attention.

I can likewise recall that at one time there was the consideration of financing some municipal projects by means of a lottery. That isn't the right way, Mr. Speaker, but you can see the desperate straits municipalities are sometimes driven to when they have to think of raising funds by means of a lottery and are having to raise funds by means of a lottery because of their inability, or their difficulty, in raising municipal property taxes any higher than they are today.

In fact, Mr. Speaker, when we talk about lotteries I understand that even now our friends to the left have financed some of their activities by means of lotteries; so it's nothing new at all to raise funds through a lottery.

Mr. Speaker, I would also like to bring to your attention, in conclusion, that back in January, 1973, in one of the questionnaires that I sent out throughout the great riding of Windsor-Walkerville, I asked the following question: "Should Ontario operate its own lottery as do other provinces?"

At that time I had my questions on the questionnaire set up in a fashion where I could get the opinion of the male in the household and the female, and then the combined opinions. There were 4,400 returns on a questionnaire that had a distribution of some 21,640, giving a percentage, I think, of a little over 15 per cent.

Mr. J. A. Renwick (Riverdale): Give it to us. Exactly what was it?

Mr. B. Newman: It is kind of interesting to note, Mr. Speaker, that the men preferred a lottery, but by a small percentage point over the women. Eighty-five per cent of the men replying said they would prefer a provincial lottery.

Hon. R. Welch (Minister of Culture and Recreation): What was that again?

Mr. B. Newman: Eighty five per cent of the men, but only 83 per cent of the women.

So the minister can see that the men would prefer it. There may be a little more gambling instinct in them than there happens to be with the women.

Mr. Renwick: Oh I don't know; what about the margin of error?

Mr. R. F. Nixon: It's a two per cent differential.

Mr. Renwick: What is the margin of error in those samples?

Mr. B. Newman: When they are conducted in the riding of Windsor-Walkerville, there is no margin of error.

Hon. Mr. Welch: How is that for the member for Riverdale!

Mr. B. Newman: Ten per cent of the men opposed the lottery and 11 per cent of the women opposed the lottery.

Mr. Renwick: Is that right? Those are really significant figures.

Mr. B. Newman: Five per cent of the men refused to answer and six per cent of the women wouldn't answer. Combining both, Mr. Speaker, of the 4,400 who replied, 84 per cent said they would like to see a provincial lottery as against 11 per cent that would not, and some five per cent refused to answer.

As I had mentioned in my earlier comments one of the areas I'm concerned with in this bill is section 9.

Section 9 of the Act should be rewritten completely so there can be no discussion as to what section 9 means. I can recall discussing it with several of my colleagues and coming to an opposite opinion as to what the section really entails. I think Mr. Speaker, it would be better if the ministry took out section 9, rewrote it and made it absolutely, perfectly clear, so that anyone reading this bill would have no difficulty interpreting and knowing just exactly what that section means.

Thank you, Mr. Speaker.

Mr. Roy: We will amend it with no charge.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: I don't wish to be repetitious, Mr. Speaker.

Mr. R. F. Nixon: This will be a very short speech then.

Mr. P. G. Givens (York-Forest Hill): Sit down.

Mr. Stokes: I don't intend to be, but I think it's a sad commentary on this minister to come into the House without an opening statement which outlines in quite some detail how he anticipates this lottery will be operated, how the funds will be administered and with some kind of assurance that it's going to benefit in a significant and a material way the very kinds of people we all hope it will benefit.

Mr. Renwick: It is going to help the minister because this is a stepping stone to the premiership of the province.

Mr. Stokes: The member for Riverdale can speak next.

An hon. member: Atta boy!

Mr. Renwick: He is the whip.

Mr. Givens: Boy, what a put-down!

Mr. R. F. Nixon: I couldn't have said it better myself.

Mr. Renwick: I wouldn't be surprised if we voted against the bill now.

Mr. Speaker: Order, please, we'd all like to hear the member for Thunder Bay.

Mr. Stokes: The member for Riverdale is going to wind up for our party.

Mr. R. F. Nixon: And the member doesn't know whether he is going to vote for it or against it.

Mr. Stokes: I expect to be out of the House speaking to the parliamentary interns at 9 o'clock. I just want to state my position in advance of whatever he might say.

Mr. Renwick: Never mind; we'll be solid on the vote.

Mr. Stokes: Basically I am in favour of the concept of raising funds by the lottery means. It has become an accepted practice by many reputable organizations in the Province of Ontario, some of them religious in nature and some of them doing tremendous social work right across the province.

Mr. R. S. Smith: That is exactly the opposite of what his deputy leader said.

Mr. R. G. Eaton (Middlesex South): What about those campaign funds in his riding?

Mr. Speaker: Order, please; the member for Thunder Bay is making his speech.

Mr. Stokes: For the reasons that have manifested themselves in the past—

Mr. Renwick: We cannot get a licence for this. They are all illegal.

Mr. Stokes: —I think I would be less than honest if I didn't say that I was in complete accord with the method of raising money. With regard to the purposes and the uses to which the money is put, I am in accord if it is going to satisfy a tremendous need to bring recreational facilities and recreational services to most of the riding that I represent, and indeed a good percentage of the population in the province who are lacking in sports, recreational and cultural facilities; and if it's going to provide those without a lot of the chicanery that could be associated with this sort of thing in the way in which these funds are dealt out.

I'm not going to be as uncharitable as to suggest that this minister or any other minister would stoop so low as to use these funds in the ways that some people have suggested in this House. I will be watching, and if I think that they are engaged in this kind of practice—

Mr. R. F. Nixon: If they're buying cultural votes—

Mr. Stokes: —I'll be the first to say so. But I have enough confidence, at least in this minister—

Mr. Renwick: I have no confidence in this minister.

Mr. Stokes: —that he won't use this kind of programme and these funds in a way that will bring disrepute to the whole parliamentary process in the province and in this country.

I want to impress upon the minister that his colleague who had responsibility for sports and recreation previously—and that is his colleague sitting directly behind him, the hon. Minister of Community and Social Services (Mr. Brunelle)—represents the kind of riding that I do, which has the kind of needs that people in my riding have, where they have never been able to aspire to a significant, meaningful, well-rounded sports recreational programme. They have never been exposed to some of the culture that people who have lived in Metropolitan Toronto and other large centres of population have.

After having attended a 3½-day seminar last week at Quetico centre with the minister's colleague, the Minister without Portfolio (Mr. McNie)—I don't know what riding he represents—

Mr. Renwick: Hamilton West.

Mr. Stokes: —it came through loud and clear that the people in northwestern Ontario felt that one of the overriding reasons they weren't able to attract the kind of professional, skilled and semi-skilled people we need to that part of the province was because of the inability of most communities to provide the social, cultural and recreational amenities that the people were used to in other areas of the province, or in fact, even in other countries from whence they may have emigrated.

So I think the minister is well aware of the tremendous needs with regard to sports, recreation and culture in the have-not part of the province. If these funds are going to be used in an honest, a sincere and a significant way to rectify that imbalance of those services, I'm all for this kind of bill. I want to assure the minister that I'll assist in any way, even to sitting on his commission if he should wish me to do so, as a representative of northwestern Ontario.

Mr. Renwick: He's all ready for an appointment.

Mr. Stokes: I want to assure this minister or any other minister who happens to be charged with the responsibility of operating this lottery—

Mr. Givens: Forty thousand dollars a year.

Mr. Stokes: —that I will be at his door often. I'll be as loud, as vocal and as repetitious as I have to be in order to get what I consider to be a fair share of the funds to achieve the kind of cultural and recreational programme we have wanted and felt we were entitled to for far too long in northwestern Ontario.

Mr. Speaker: The hon. member for Kingston and the Islands.

Mr. C. J. S. Apps (Kingston and the Islands): I would just like to make a few comments on the principle of the bill which, as far as I am concerned, really boils down to the fact of whether the province should conduct a lottery or whether it shouldn't. Although I haven't been here to listen to all the members who have spoken this afternoon and this evening, there haven't been very

many speak, really, to the principle of the bill. I wish I could be as sure as most of the members in the Legislature that this is a good thing.

Mr. Renwick: I agree with that.

Mr. Apps: Admittedly, there are lotteries being held all over the place. The Olympic lottery, I think, has been one of the most successful lotteries that has ever taken place anywhere. Lotteries are being held in Manitoba, in Quebec and in the State of Michigan for governmental purposes. There is no question about the fact that the majority of people really approve of this type of fund-raising. I worry a little bit about the government getting into the act here. Really what we are doing is catering to the—

Mr. Stokes: Is the member saying it was not discussed in caucus?

Mr. E. M. Havrot (Timiskaming): Yes.

Mr. Apps: I listened very carefully to what the member for Thunder Bay said. I am trying to be serious about this, because I have reservations in my own mind about the propriety of a government getting into the lottery business—

Mr. Renwick: So do I.

Mr. Apps: —and the member can rest assured I made my voice known in caucus on that basis.

Mr. Stokes: Fair enough.

Mr. Apps: What I am trying to say here today is that the government is catering to the gambling instincts of people to raise additional money, in this case particularly for culture and recreation.

Mr. Stokes: Every time you walk out on the street it is gamble.

Mr. Apps: Sometimes I think there are enough people already catering to the gambling instincts of our populace without the government getting into the act; and although I don't always agree with the hon. member for Cochrane South, I think that once in a while we should sort of stop and take a look at where we are heading to see whether it is really necessary, particularly for the government, to raise money in this way.

People say we are spending money on lotteries from outside the country and that the money is going outside the country. I don't think we are going to spend any less. I think the money is still going to go outside the country. This is going to be additional money that will be raised over and above the lotteries that are already in progress. It means we are going to spend a little bit more money on lotteries than we spent before.

I don't agree with those who have suggested that this money should go into the general revenues of the province and then be spread out all over to do anything the government might want to do. I think it should be specific. I think it should go exactly where they say it's going. At least that way we know where it is going and we have the opportunity of buying a ticket or not. This really is the only choice that is sort of left open for you.

I don't know whether I am going to buy any tickets or not. I don't think I will, because fundamentally I don't really believe in this method of raising money. However, I realize that the great majority of people do. The member from Windsor indicated, I think, that about 83 per cent of the people in his riding thought this was a good way of raising money. I think that is general throughout the province, but that doesn't necessarily mean I have to agree with it.

I am going to support the bill; I am going to support it with very grave reservations. I think that if we really wanted the extra money we could have found some other way, through some other type of taxation, to raise that money. But it's the going thing: People like to do it; people like to put a dollar here and a dollar there. I do the same thing in many other ways.

Mr. R. F. Nixon: On an occasional hockey game?

Mr. Apps: Maybe on an occasional hockey game?—no, I don't bet on hockey games because I don't think that's right. But sure, we bet on various things; there is not much difference between a lottery and betting on various other events.

I am going to support the bill with reservations, as I say—with a word of caution that we should not get carried away with the amount of money that we can take from the people through lotteries because, as has been indicated by many speakers here tonight, many of the people who buy those lottery tickets really can't afford to do it. They are buying them in the hope that maybe they'll be the lucky one, but the chances are 999,000 out of one million that they won't be the lucky one. They are just going to throw down

the drain that money they might have put to better use.

I am a little concerned, as I indicated before, about the aspect of a government getting into the lottery business. I think this is the principle that should be debated on second reading. Most of the members agree. I accept that, because most of the population agree. I don't necessarily agree.

Mr. Stokes: The member is talking against the bill, but he is going to vote for it.

Mr. Apps: I am just explaining how I feel about the lottery. I don't agree with the hon. member that this is a good thing to have. Sure money is going to go to culture, to recreation and, hopefully, to sports, which is fine as far as I am concerned; I hope a lot of it goes to sports. I hope they don't forget the sports as against the cultural and recreational end of it, because there are a lot of sporting activities that need this particular money.

The principle behind this bill is that now the government is into the lottery business, let's not get carried away with it and think that this is the way of raising the money. If we need to raise any money, other than that, let's do it through normal channels and say: "All right, we are going to tax so and so, and so and so to raise this money." Rather than appealing to everybody: "Well, buy a ticket. You might win $1 million." Well you might win $1 million, but your chances of winning it are very remote. Thank you.

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: Thank you, Mr. Speaker. I am a great admirer of the member for Kingston and the Islands, and I have listened carefully to what he said. In many respects we have the same kind of antecedents. Our families came from the same part of the world. We went to the same university.

Mr. Renwick: The member for Brant can't play hockey.

Mr. R. F. Nixon: And I cannot for the life of me understand why I can't—

An hon. member: He is a better stick handler.

Mr. R. F. Nixon: —play hockey better than he can; or at least as well. But you know, Mr. Speaker, I am very interested in hearing what's going on here this afternoon and this evening. So many people have spoken against this bill who are going to vote for it. I don't see why they don't vote against it.

I don't see that there's a great matter of party solidarity required here. This is a matter that is going to be associated with the revenue of the province. And if you are against it, by God, vote against it. Why not? What's the matter with it? The member for Riverdale is just aching to get up and unload his views at length on this—

Mr. Renwick: I am not.

Mr. R. F. Nixon: He is going to speak against it, and then he is going to vote for it—unless, of course, he persuades his colleagues to follow his views.

Interjection by an hon. member.

Mr. R. F. Nixon: I cannot see why we, as members of this House, should not feel, in a matter like this, that we are prepared to speak our minds and then vote our minds.

Let me say this, Mr. Speaker, that I certainly don't like to accuse anybody of hypocrisy, and I don't do so. But having said that, I will tell you that our family has been buying Olympic lottery tickets. And maybe our conscience, if it is bothered at all—and I don't believe it is—

Mr. Renwick: It is not a matter of conscience.

Mr. R. F. Nixon: —is soothed by that athletic kind of multiple picture on the front. You say: "We are helping all those poor athletes in Canada, and therefore it is okay." I reject that as an argument.

I don't see anything wrong with this as a method of raising funds. I well recall some years past, and some others perhaps remember too, the former member for Brantford, George Gordon, a saintly man indeed. He used to argue in our caucus against lotteries. He would speak in the House against them, because he felt they took money from families who could ill-afford to spend the money on such a long range, long odds chance. I respected his views.

I don't happen to agree with them. I believe that people have the choice to buy a lottery ticket or not. If they don't win, at least they have the fun of expectation. And whether the money is directed toward cultural or recreational pursuits, we should assume that if it goes into the consolidated revenue fund, it's going to be spent in some way for the welfare of the province. I, for one, would not like to see the funds earmarked.

Interjections by hon. members.

Mr. R. F. Nixon: Why doesn't the NDP have a caucus meeting and decide what it is going to do about this bill?

Mr. Ferrier: Why doesn't the member get on with his speech?

Mr. Speaker: The hon. Leader of the Opposition has the floor.

Mr. R. F. Nixon: Thank you, Mr. Speaker. I have always felt in principle that it was bad business for a government to earmark revenues. As a matter of fact, I mentioned that to somebody in the—

Mr. Renwick: There is no earmark here.

Mr. R. F. Nixon: No, I think the earmark is—

Mr. Renwick: There is no earmarking here.

Mr. Speaker: Order please. The hon. Leader of the Opposition is making his point.

Mr. R. F. Nixon: I can hardly wait for the member for Riverdale to express his views, if he ever finds out what they are.

But I will tell you, Mr. Speaker, that whether the bill directly earmarks it or not, in my view I think it is a bad practice. I have read the bill and I feel that the so-called earmarking section is rather vague.

For my part, we might sometime in the future feel we would like to spend the money on pensions for, let's say, defeated Tories or some such worthwhile project.

Mr. Eaton: What happens to the Liberals?

Mr. R. F. Nixon: We will look after the member for Middlesex South. We will look after him.

Interjections by hon. members.

Mr. R. F. Nixon: I have the greatest respect for the former cabinet minister who said that he wants to have these special funds to assist the Heritage Foundation. He is the present chairman of the Heritage Foundation. He is not under the clock now but he was, looking with expectation. The two Gelbers, who are very, very interested in cultural pursuits in this province—the arts, music and so on—they were there. I have a feeling that what the minister thinks of as culture is not exactly what the Gelbers have in mind, but that remains to be seen. We'll just see how those moneys are spent. For recreation and sports, great! The minister well knows of my dedication to those pursuits—

Mr. Stokes: The Leader of the Opposition is no sport; what kind of recreation is he?

Mr. R. F. Nixon: But I do believe that it is bad practice to earmark any revenues. I personally believe very strongly in a system of responsible government where the ministry spends the money from the consolidated revenue fund as it sees fit and then stands the public test, as from time to time they are required to do. I personally favour that.

For my part I would say to my colleagues, if on a basis of principle they feel opposed to this, certainly they're free, as far as my concern is expressed, to vote as they see fit on a matter such as this. I can't see why other people can't do the same. That's what we're here for, to express our views and vote those views. For my part, I intend to support the bill.

Mr. Speaker: Any further speakers?

Mr. Renwick: Are you waiting for me, Mr. Speaker?

Mr. Speaker: I was just waiting for somebody. The hon. member for Riverdale has the floor.

Mr. Renwick: This is exactly what the government does. They intended a long time ago to introduce the lottery into Ontario. We get the bill on Jan. 30, there's a weekend, the bill isn't printed until Monday morning and we're supposed to have definitive views on it.

Mr. R. F. Nixon: His caucus hasn't had a chance to meet, right?

Mr. Renwick: The caucus has met.

Mr. R. F. Nixon: But they don't agree with him, right?

Mr. Renwick: It's not a question of whether they agree.

Mr. R. F. Nixon: The best two out of three.

Mr. Givens: Say something, speak up already.

Mr. Speaker: I am waiting.

Mr. Renwick: I don't mind if a little time goes by. We need five members.

Mr. Eaton: It is too bad they can't get more than that in the House.

Mr. Renwick: Well it's relatively difficult considering the way in which the Tory party deals with the assembly.

Mr. J. M. Turner (Peterborough): Nonsense.

Mr. Renwick: When there is a matter of fundamental importance such as Syncrude, of course, we don't have any debate on it. We get a unilateral decision of the government. When there's another matter, such as the enhancement of the present Minister of Culture and Recreation in his pursuit for the leadership of the Tory party—

Mr. Speaker: Could we get back to the principle of the bill please?

Mr. Renwick: It's quite clear. The minister and I understand each other.

Mr. Eaton: Nobody understands the member.

Mr. Renwick: We've watched him in politics for a long time.

Interjections by hon. members.

Mr. Renwick: A party such as our party has immense difficulty with this bill. It has immense difficulty with party solidarity on a bill such as this.

Mr. Eaton: All the time.

Mr. Renwick: That distinguishes us, of course, from the Liberal Party, which is constantly accustomed to divisions on bills of all kinds.

Mr. R. F. Nixon: We have noticed that the member is the one that is sort of on the outs with his caucus now.

Mr. Speaker: Order, please. Couldn't we get to the principle of the bill?

Mr. R. F. Nixon: The member should think about that.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: I don't particularly feel that way about it at all. I have immense concerns; not so much about whether or not I participate in lotteries, I buy lottery tickets and I'm quite sure the hon. member for Kingston and the Islands buys lottery tickets.

Mr. R. F. Nixon: But the member for Riverdale is thinking of those with lower moral fibre who should be protected.

Mr. Renwick: No, I am concerned about whether or not the Province of Ontario, which is a wealthy province, should be purporting to pursue social goals through a revenue-raising provision, which is so expensive. On the very opening statement of the minister, he tells us that the revenue he anticipates when the thing is in full swing is $100 million, the prizes and expenses will be $60 million and the province will net $40 million. Those are the figures, as I understand them.

Mr. R. F. Nixon: It is a very conservative estimate. They should net $60 million.

Mr. Renwick: I'm not a numbers expert. One of the few things I can't do is either arithmetic or use a calculator.

Mr. Roy: Is that all he can't do?

Mr. Renwick: But it seems to me there's something fundamentally wrong in this for a province like the Province of Ontario. I speak from my own background about a matter such as this, strangely enough a background which I share to some degree with the minister who is introducing the bill. I haven't risen quite as high in the lay levels of the Anglican church—

Mr. R. F. Nixon: In fact the member has slid back.

Mr. Renwick: —but I was certainly brought up fairly closely to them. It seems to me to be passing strange that this minister would consent to this method of funding the ministry of which he is now the first holder. The strange thing is that in the other ministries which he has held in the last year—

Mr. R. F. Nixon: Eight, I believe.

Mr. Ruston: Seven.

Mr. Renwick: —or since I have known him he hasn't introduced—oh, I shouldn't say he hasn't introduced, he has occasionally introduced a bill for first reading, but he has never debated a bill of fundamental importance in any of the other ministries which he held.

Mr. Roy: He brought in privacy in the courtroom.

Mr. R. F. Nixon: He was very big in the medical area. A denturist at one time.

Mr. Renwick: Well I know. He also nudged into the question of matrimonial property; the bill stands on the order paper in his name but will die.

Well, I am certainly glad the Provincial Secretary for Resources Development has arrived in order to—

Mr. R. F. Nixon: He heard the member speaking.

Hon. A. Grossman (Provincial Secretary for Resources Development): I wouldn't want to miss it.

Mr. Renwick: Yes, I am quite sure. If I thought for a moment there was any good reason for the bill being introduced to provide $40 million for the minister to disperse in the Province of Ontario; and if the bill had any specific guidelines as to the way in which that dispersion of those funds would be made; and if the Tory government had not been concerned about replacing the member for Bellwoods (Mr. Yaremko) as that representative of the ethnic community by my friend the member for Humber (Mr. Leluk); and if I were not concerned about the ongoing, if I may say, problem of the Tory party with representation in the ethnic community; and if I were not concerned about the attitude of the Conservative government toward the LIP projects; and if I were not concerned about the picayune way in which the Ontario Arts Council has been forced to deal with the bubbling-over of theatrical performances by amateur theatre groups in Metropolitan Toronto and elsewhere in the province; if I were not concerned about the niggardly number of dollars which were available throughout the province for other cultural activities; if I were not concerned, as a member of the Legislature, to find that two or three times a year I get a letter sent to me indicating that some people in my riding got a few baseball bats or gloves or balls, or a few hockey sticks or a goaltender's mitt; if I weren't concerned about those things, you know, Mr. Speaker, I might think there was some merit in the bill. But I am concerned about them; and as a result I think it is phoney.

We had great difficulty in the caucus. Colleagues of mine think strongly about the whole question of the lottery as a system. Colleagues of mine representing the kind of ridings which we represent, generally are the people who participate by buying the tickets, which is a substitute for a tax to provide viable programmes in areas of essential need in the Province of Ontario. And my colleague the member from Sudbury, put it very succinctly, as he always does: Will the people who buy the tickets benefit from the number of dollars which are spent? In this good-deeds attitude toward governing the Province of Ontario, to what extent is this minister going to encroach upon the Minister of Community and Social Services with respect to community centres? To what extent is he going to encroach upon the funding of the Ontario Arts Council for specific projects among those with whom the minister would curry favour?

The minister denies it but I happen to know, deep down in my own feelings about Ontario politics, that he has dedicated himself to a single proposition: to succeed the man who sits on his right as the leader of the Tory party. We had almost come to the point in time, Mr. Speaker—

Mr. Speaker: Order please. Can we keep to the principle of this bill?

Mr. Renwick: I'm sorry, Mr. Speaker, would you repeat your remark? I was on my feet, and I never listen to you when I'm on my feet.

Mr. Speaker: I was suggesting that we keep to the principle as enunciated in the bill.

Mr. Renwick: That's right, because that's exactly what I'm going to do.

I grew up in the Province of Ontario, and when I grew up in this province—

Hon. Mr. Grossman: He made a great impact too.

Mr. Renwick: Yes that's right, keep commenting. Some others did too; and some others will recall what I'm going to say. There was a patronage department at the federal government level and there was a patronage department at the provincial government level. One of them was called the post office and one of them was called the department of highways. Now there is no patronage area left in the Province of Ontario, because of the sophistication of our governments.

Mr. R. F. Nixon: Oh!

Mr. Renwick: Okay, there are areas of patronage and there are areas of specific patronage, and there are means by which we can find those particular areas of individual patronage. We're not doing badly about that. But there is no longer the pervasive influence in the Province of Ontario of the patronage system.

Mr. Roy: It's not as obvious.

Mr. Renwick: All right. I'm not saying it's not as obvious or anything else. I know the way in which the game is played.

Mr. R. F. Nixon: He ought to read the Shouldice letters.

Mr. Renwick: But there isn't a department of highways as a patronage system and there isn't the post office as a patronage system.

Hon. Mr. Grossman: A great government.

Mr. Roy: Ross Shouldice said that.

Mr. Renwick: So far as we are engaged in what we all are engaged in, Tammany Hall politics, we all have to make the effort to see what little leverage any one of us may have.

But do you know, Mr. Speaker, that this particular minister is engaged single-mindedly in making certain that he has at his disposal an immense number of dollars which will cut across innumerable ministries of government which have statutory authority.

Hon. Mr. Welch: That's not true and the member knows it. All these branches of government are part of the ministry. He just hasn't understood the bill.

Mr. Renwick: No, I haven't understood the bill from the beginning; of course I haven't understood the bill.

Hon. Mr. Welch: He didn't have time to study it.

Mr. Renwick: That's usually my problem. I never understood what the—what is the ministry he presently holds?

Hon. Mr. Welch: The Ministry of Culture and Recreation.

Mr. Renwick: The Ministry of Culture and Recreation. I never understand that minister. I followed him through each of his portfolios with a great deal of concern—

Mr. J. R. Breithaupt (Kitchener): And he is speedy too!

Hon. Mr. Welch: It is all there. It is all in the new policy.

Mr. Renwick: —because never, in the course of the time he has sat in the House during which I have sat in the House, has he made a definitive statement about any matter.

Mr. Speaker: Order please. I wonder if we could return to the principle of the bill.

Mr. G. Nixon: Get with it, eh!

Mr. Renwick: I'm simply saying to the minister that in his opening statement on this bill, which I have read three times—

Hon. Mr. Welch: If the member had had the same training that I've had, he would never attempt to get so low as he is getting tonight by attacking the personality involved rather than speaking to the principle of the bill.

Mr. G. Nixon: Right on.

Hon. Mr. Welch: Get on with the principle of the bill. The member shouldn't lower himself the way he is doing right now.

Mr. Renwick: Thanks very much.

Hon. Mr. Welch: What a disgrace.

Mr. Renwick: I'll make the decision, thanks very much. I can quite understand that the minister is immensly concerned about it. I can tell from his posture.

Hon. Mr. Welch: As a gentleman, it is very unbecoming.

Mr. Speaker: Order please. Let's return to the principle of the bill.

Mr. Renwick: I can tell from his posture that he is very concerned about it.

I have read the initial statement made in this assembly—

Hon. Mr. Welch: He is embarrassing his group over there.

Mr. Renwick: —by the minister, which is his first act as the minister of a new ministry of government, explaining what he intends to accomplish by this operation. I look at the bill, and there is nothing in the bill which indicates what he is going to accomplish.

Hon. Mr. Welch: The member for Riverdale hasn't read it.

Mr. Renwick: I have read the bill, and quite obviously the minister is concerned. It will be very interesting to hear his reply—

Hon. Mr. Welch: I can hardly wait.

Mr. Renwick: Mr. Speaker, do you know what I would suggest to the minister? I happen to have a 1,052-page volume of the biography of William Pitt the Younger which deals with the financing of government, the purposes of government and the prevention of corruption in government. I am simply saying to the hon. minister that whether or not the lottery is an acceptable way of

raising funds, unless there is a definitive statement by him of what he proposes to do with the $40 million which he anticipates will be the revenue of his ministry, for something so amorphous as recreation, sports and cultural activities, then I say to the minister that the ministry is introducing into the Province of Ontario a programme of give-aways related to the kind of thing to which I had hoped a government such as the government of Ontario wouldn't have to stoop.

If the government had specific social programmes related to sports, recreation and cultural activities, then I would have assumed that the minister would have said on the introduction of the bill: "These are the programmes. This is what we are going to do. These are the things we are going to accomplish. We do not feel it is possible to divert this number of dollars out of the tax revenues of the Province of Ontario for these purposes. Therefore, we are saying we will provide a lottery, because it is fashionable now to provide lotteries, and we will accomplish these programmes."

In fact, Mr. Speaker, that's not what he's going to do. Only after the event, will we in this assembly know where the $40 million has gone. We don't know whether the Theatre Passe Muraille will benefit from it as a suppliant to the government.

Mr. R. F. Nixon: He can't spend the money without an estimate.

Mr. Renwick: We don't know whether or not the Injured Workmen's Consultants will benefit from it as a suppliant of the government. We don't know whether or not there will be immense competition amongst the municipalities in the Province of Ontario for recreational facilities which the government will set up from the $40 million.

The minister probably doesn't understand that what has vitiated extremely valuable community projects, which were sort of sponsored by and had the ferment of the times involved in them, is that the brains of each and every one of those recreational, cultural, sports and related activities has been devoted to being the suppliant of the government for funding.

By this bill, in my own particular view, we will produce about $40 million which will be in substance a fund to be disbursed by this minister as he sees fit in his own pursuit of not offending anyone in the Province of Ontario for the purpose of succeeding to the leadership of the party of which he happens to be a member. I know that's unacceptable, because people don't believe that to be so. But anybody who has followed his career in politics knows very well what is happening in the Conservative Party.

Mr. Speaker: Order, I am wondering if the hon. member would return to the principle of the bill, please.

Mr. Renwick: Yes, I—

Mr. Roy: Right on. Give him hell.

Mr. Renwick: No, it's not a question of giving him hell; it's a question of trying to draw to the attention of the assembly that we know nothing about the purposes for which $40 million are to spent. There is no background or history to support what he may be doing. He is not the successor to other branches of government that may have been involved in the field and that could be a spinoff, a legitimate spinoff of a specialized activity for the purpose of providing a social need in the province.

That's not it. That's not it at all. He is being given an entirely different organization to say that he can raise—disguised as he will be by the title of Minister of Culture and Recreation or Recreation and Culture—$100 million, of which we are being asked to authorize the expenditure of $60 million so that the Province of Ontario will net $40 million to be spent on programces we don't understand.

We understand it even less than we understand the $100 million to be devoted for a five per cent interest in Syncrude. At least that's clear. At least we can find out, somehow or other, where that money is going to be spent.

The minister said to me a few minutes ago that I don't understand the bill. I can't possibly understand it, I've almost lost it. But in section 9 of the bill—and I am going to read it in extenso because that's the purpose of the bill—

Mr. R. F. Nixon: Why doesn't the member read it all too?

Mr. Eaton: Read it into the record.

Mr. Speaker: Order please.

Mr. Renwick: Well, I might very well, as a matter of fact. It might be worth doing. I doubt very much whether many of the absent Tory members of the assembly would bother to read it. If I thought they would, I would accept the view of the member for Middlesex South and I would read it in extenso.

Mr. Breithaupt: All 64 of them?

Mr. Renwick: Perhaps, if I may say to the member for Middlesex South, if one extracts the essence of the bill maybe even the member for Middlesex South will understand what I am talking about.

Mr. Deans: I doubt it.

Mr. M. Cassidy (Ottawa Centre): There is very little essence.

Mr. Renwick: I doubt it.

Mr. Speaker: I'm wondering if the hon. member would direct his comments to the Chair rather than to the hon. member for Middlesex South?

Mr. Deans: If you keep interrupting, he will.

Mr. Renwick: I would prefer to do that.

Mr. Speaker: And to the principle of the bill.

Mr. Renwick: The net profits of the corporation, $40 million, in the minister's estimate, after provision—well, no, I shouldn't say that, because even they don't know how to draft the bill. It says: "The net profits of the corporation after provision for prizes and the payment of expenses . . ." Well, I thought that was what profits meant but apparently not.

I would have assumed that the gross profits of the corporation—the gross profits being $100 million—after provision for prizes and the payment of expenses of operation, $40 million; eh? $60 million, sorry.

Net profit, $40 million, "shall be paid into the consolidated revenue fund at such times and in such manner as the Lieutenant Governor in Council may direct . . ." Well, presumably $40 million will find its way into the consolidated revenue fund.

And then it goes on, ". . . to be available for the promotion and development of physical fitness . . ." The minister's physical fitness? Is that what we are concerned about? Or the government's physical fitness?

Mr. Roy: Does the member think $40 million is enough?

Mr. Renwick: I doubt it very much.

Mr. Eaton: The member for Riverdale could use some.

Mr. Renwick: Participation.

Mr. R. S. Smith: What about our mental fitness?

Mr. Renwick: Continuing: ". . . sports, recreation and cultural activities, and facilities therefor." Someone indicated that that was an earmarking of the funds. That's not an earmarking. William Pitt the Younger indicated quite clearly what earmarking of funds meant. That's not an earmarking of the funds.

There is no way, except by amendment to the Financial Administration Act, that one can earmark funds in the consolidated revenue fund. But somehow or other this minister is going to have $40 million to distribute across the province, but all of the questions are unanswered. He hasn't said it in his opening statement; he has not said on any occasion what he is going to do with the $40 million.

I simply say I have no confidence in the minister to distribute $40 million amongst the areas which are concerned, other than to suggest to him that it is an immense additional slush fund for the Tory party across the Province of Ontario. He doesn't like that language.

Mr. Deans: It's true.

Mr. Renwick: He objected to me some time ago when he was the Attorney General and Provincial Secretary for Justice that I suggested that—

Mr. Eaton: A lot of people object to the member for Riverdale.

Mr. Renwick: —perhaps there was some other motivation, and he told me not to lower myself.

Mr. G. Nixon: Right on.

Mr. Renwick: I wouldn't want to lower myself again tonight about it.

Hon. Mr. Welch: I said that as a friend of the member; a fellow human being.

Mr. Renwick: That's right.

Mr. Speaker: Shall we return to the principle of the bill?

Hon. Mr. Welch: The member for Riverdale has always had great promise.

Mr. Renwick: There is no difficulty about it at all, Mr. Speaker. We were introduced to the bill on Jan. 30, and it is now Feb. 4. It is extremely difficult for 20 members of this assembly, members of the New Democratic Party from across Ontario, to assemble to discuss the principle of the bill and

to come to a conclusion about it. I make no bones about that. I don't worry about that kind of thing. There are strong feelings in our caucus. Our caucus decision was that we would support the bill with reservations.

Some hon. members: Oh, no!

Mr. Renwick: That's right.

Mr. R. F Nixon: This is a matter of high principle

Mr. Cassidy: That's right; and we are expressing our reservations.

Mr. Renwick: There is nothing to laugh about in that; nothing to laugh about.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Renwick: That's exactly what happened in that caucus of the government; that's exactly what happened in that caucus —no question whatsoever.

Interjections by hon. members.

Hon. Mr. Grossman: That is what he is accusing the Liberals of.

Mr. Speaker: Order, please. The member for Riverdale has the floor.

Mr. Cassidy: If they had no reservations, they would have had a lottery years ago.

Mr. R. F. Nixon: Divide on it.

Mr. Renwick: I think we will, as a matter of fact.

Mr. R. F. Nixon: Sure.

Mr. Renwick: I don't think the mere fact that there will be a division does not indicate what the ultimate vote will be.

Mr. R. F. Nixon: Oh, he hasn't made up his mind yet.

Mr. Renwick: That's right.

Interjections by hon. members.

Mr. Eaton: He probably won't vote.

Mr. Speaker: Order, please. The hon. member for Riverdale has the floor.

Mr. Renwick: Thank you, Mr. Speaker. If the bells ring as long as they usually do for the Tories to produce members, we'll have ample opportunity to decide whether or not—

Mr. Cassidy: We'll support it, but with reservations.

Mr. Renwick: —we will support the bill, or whether we will vote against the bill.

Hon. Mr. Grossman: They have six members over there, let the record show. Six NDP members are in the House; one is leaving. They have six members over there and they are losing one.

Mr. Speaker: The hon. member for Riverdale has the floor. Would he return to the principle of the bill? Thank you.

Mr. R. S. Smith: We are going to support the vote too.

Mr. Renwick: I always worry when there is the motherhood issue presented to us. It is that everybody else is conducting lotteries, therefore we should conduct them. And the fact that we can always gain a pretty substantial share of the market, since a goodly number of people of the Province of Ontario participate in them anyway; since the prizes will be attractive; since some advertising agency hired by the government will be engaged for the purpose of advertising the programme; and since the government doesn't really believe in physical fitness, sports, recreation and cultural activities, except as a peripheral operation of government; and since the minister is dedicated to the proposition of becoming the next leader of the Conservative Party by marshalling these funds.

Now, there are such serious reservations that subject always, of course—and we in this caucus always listen to the ministers—subject, of course, to the way in which the minister responds to the questions which have been raised by this caucus about the bill, about the integrity of the bill, about the integrity of the minister—as the minister—in propounding this bill, about what he proposes to do with $40 million, and presumably a division would make very good sense considering the obvious divisions within his party, within the Liberal Party and within our own party. And with those few words I would call upon the minister to deal with the bill in substance and in depth, to see whether or not this government has any conception of what they are going to do with $40 million—which will cost $100 million to raise for the purpose of funding social programmes, about what those programmes are that we are being asked to support by supporting this bill—because everyone knows that the people in my riding will buy tickets, as the people in all the other members' ridings will buy tickets. That's the

question. Let's get on with it. Perhaps the minister can reply.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. Ruston: Thank you, Mr. Speaker. I would like to speak very briefly on this Bill 191, An Act to incorporate the Ontario Lottery Corp. There has been quite a bit of discussion on it already, and at the beginning I would like to say that I am going to vote in favour of the bill. There have been discussions about what might go on, or a division or something, but I will be voting for the bill.

I think money raised by running a lottery should not be used for the essential things that a government has to supply. It has been mentioned that it should go into the consolidated revenue fund and then the government should allocate it out, but I don't think that we should be selling lottery tickets to raise money for education or health and such necessities of life. That should be the responsibility of taxation and collected on the ability to pay, because lottery tickets are often bought by people who don't have the ability to even pay income tax—they often think that they might win and they will take a chance and throw out $5 or $2, as the case may be. So I would think that that principle is all right.

I don't really think we needed a new ministry to run this lottery and I don't think we needed a Ministry of Culture and Recreation—maybe by itself. However, that was what the government thought was necessary and that is what goes. But I feel very strongly about these funds. If we are going to allocate the money for recreation, culture and other items, in our area we have had a little trouble in trying to buy an arena and recreation complex—we are having a few problems where it's a joint operation with three municipalities. We could certainly use some funds from some kind of a lottery, so will look forward for some assistance in that way.

I suppose that having bought a $10 ticket on a car in the village of Wheatley not too long ago on a Friday evening about 9 o'clock—

Mr. Turner: Terrible.

Mr. Ruston: —and it's a strange thing when you buy tickets and no one knows what's going to happen to them.

However, they announced that they were selling tickets on this lottery when we were at the bingo game at the opening of the new arena in Wheatley. A fellow came around to sell tickets; he didn't have a pen, Mr. Speaker, so my wife loaned him a pen. I gave him the $10, and my wife put the boy's name on the ticket. As we were leaving the next evening, she said to the boy, "Steve, you had better listen for the phone tonight. I have a premonition you are going to win a car." Well, you know, we went out that night for a dance or two—as my leader says: "Always going to a dance some place." We came back about 12:30 that evening and Stevie was sound asleep. At 1:30 the phone rang and I wondered who was calling. Somebody must have had a problem with unemployment insurance or something. I jumped up and answered the phone.

Mr. R. F. Nixon: Or workmen's compensation.

Mr. Ruston: Yes, workmen's compensation. One night at about 4:30 the phone rang and somebody had a dike break. What should I do? Anyway, this phone rang at 1:30 and, of course, being my usual self, jumping up in a hurry to look after my constituents, I answered the phone and said: "Yes, what can I do for you?" And the fellow says, "Is this the Ruston residence?" I said, "Yes, I think it is. At this hour of the morning I'm not sure."

Interjections by hon. members.

Mr. Ruston: He said, "Does Stephen Ruston live there?" I said, "Yes, he's in bed. Is it important?" And he said, "I'm not sure how important it is. This is Dr. McGibbon calling from Wheatley to tell him he just won a car."

An hon. member: It was important.

Mr. Ruston: I do have a ticket in my pocket for the Olympic lottery, Mr. Speaker, and I guess I'd be very hypocritical if I didn't vote for this bill. But I think it's very important that we keep the price of the tickets within the range of what I figure everyone can buy. I think that is in the $1 or $2 range at the most. The State of Michigan, and we're very closely oriented to Michigan in our area, has a lottery. They may have a different way of handing out the money. You might win $200,000 but they give you $20,000 a year for 10 years. The idea of that, of course, is that if the lottery has the money it can put that money out at interest of eight or nine per cent and that almost pays the payments each year. There are different ways of doing this. They may collect it as it comes in. There are two different ways I suppose.

An hon. member: That's what Manitoba does.

Mr. Ruston: It's something that the minister might look at, Mr. Speaker. I see he is making a note already. It's an idea. I suppose he can pay out many more prizes and, as the money comes in each year, he'll keep rolling them out.

Hon. Mr. Welch: I think it's called the yak formula.

Mr. Ruston: The yak formula. Mr. Speaker, I didn't know if I should get up and speak on this bill.

Mr. Turner: The member made a mistake; I'll tell him that.

Mr. Ruston: The minister on one occasion was very annoyed at an interjection I made a year or two ago. I didn't know if he would speak to me or not, or whether he would answer anything I might ask here today. But I think he's a fine gentleman.

Interjections by hon. members.

Mr. Ruston: Mr. Speaker, I happened to be in town when the leadership convention was on for the Conservative Party in Ontario.

An hon. member: Who did the member vote for?

Mr. Ruston: I went over to Maple Leaf Gardens with a friend of mine who was my campaign manager, and we looked around. It so happened that the minister's opposition, the present Treasurer (Mr. McKeough), was organizing his group on the main floor.

Mr. H. C. Parrott (Oxford): How about the principle of the bill?

Mr. Ruston: The mayor of Tilbury asked me if I would go along with them to support the Treasurer, but I thought I should be impartial. So I went up to the top seats in the greys in Maple Leaf Gardens and listened to the great speech of the Minister for Culture and Recreation.

Mr. Speaker: Order, please. Order. I think we've strayed from the principle of the bill.

Interjections by hon. members.

Mr. Ruston: Mr. Speaker, I will get back to the bill. I just want to say that the main concerns I have with the bill are keeping the tickets within reason that people can buy, and that the money be used for things that we wouldn't necessarily want to tax people for. I think that's probably a good position to take.

The other thing I noticed was that some of the people on our left in the New Democratic Party have some reservations. I was just looking through my wallet. I've been carrying around a ticket for a year or two of the Sandwich-Riverside NDP Association. They've been raffling off tickets on something, but I couldn't find it. I mislaid it some place, I guess. I didn't necessarily buy it; one of my boys did where he works. Apparently they were raffling off and running a lottery for the association. I don't think that's quite cricket, but that's up to them.

Mr. R. F. Nixon: I'll bet it wasn't licensed.

Mr. Ruston: I have no objection to what they want to do.

Mr. Roy: What was the prize?

Mr. Ruston: I think it was $50. Mr. Speaker, I would have no objection to this bill. It has been mentioned but I would certainly hope the minister does not use it in any political way. We have some reservations, but we will take hope and I am sure that it will be used for the benefit of all the people of Ontario.

Mr. Speaker: Does any other member wish to take part in this debate? The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Mr. Speaker, I have considerable reservations about this bill—

Mr. Turner: Oh, no.

An hon. member: Oh, just say no.

Mr. Taylor: —and especially the principle of running, or assisting to run, any government programme by any money raised through gambling or lotteries—

Mr. Turner: Down with gambling.

Mr. J. A. Taylor: —but after hearing the compelling arguments of the hon. member for Essex-Kent I am completely convinced.

Interjections by hon. members.

Mr. Speaker: Order please. The Chair cannot hear the hon. member.

Mr. J. A. Taylor: —of the merits of this bill. I am—

Interjections by hon. members.

Mr. J. A. Taylor: —overwhelmed—

Mr. Turner: And converted.

Mr. J. A. Taylor: —and converted, indeed. Anyone who has the good fortune that he has had I think is inspiring to all of us and can lead only to the conclusion that this type of bill should be supported. Not only that, but I may say that it wasn't long ago that I was attending a county fair and my ticket was drawn and I won a quilt.

An hon. member: A racehorse.

An hon. member: A quilt?

Mr. J. A. Taylor: Yes, and for a moment I thought they were trying to put a good Tory to sleep.

Mr. Deans: They probably thought he was already asleep.

Interjections by hon. members.

Mr. J. A. Taylor: Because of all the good sound reasons that have been advanced, notwithstanding the ambiguity and ambivalence of the NDP—

Interjections by hon. members.

Mr. J. A. Taylor: I must in good conscience support the bill and do trust that the money raised will advance the recreational activities and the athletic prowess of the people of this good province.

Mr. R. F. Nixon: Not to raise the salary of the cabinet.

Mr. Turner: And the cultural activities too.

An hon. member: Don't forget the cultural activities.

Mr. Speaker: Does any other hon. member wish to take part in the debate? If not, the hon. minister.

Hon. Mr. Welch: Mr. Speaker, I have listended all day to the contributions of many hon. members to the debate on second reading of this particular bill. In fact, Mr. Speaker, this being Bill 191, An Act to incorporate the Ontario Lottery Corp., if my records are correct I am the 20th member of the House to take part in this debate on second reading, and I think that is significant.

Mr. R. F. Nixon: Here I thought he was taking notes.

Interjections by hon. members.

Hon. Mr. Welch: I think it is of some significance that so many members have felt compelled to take part in the debate and to share some of their concern with respect to this matter.

May I say at the outset that I have been greatly impressed by the sincerity of a number of what I would refer to as highly motivated members, who have emphasized the importance of ensuring that a lottery in this province does not in any way—and I underline this, because it is a very important matter that really does speak to the principle of the bill—that it doesn't in any way contribute to a breakdown in moral standards in this province. Indeed, I might say as the minister who carries the responsibility of this legislation tonignt—

Mr. R. F. Nixon: The custodian of our morals.

Hon. Mr. Welch: —that both through conversation and through correspondence, as the member for Perth (Mr. Edighoffer) pointed out earlier in the afternoon, a number of well-meaning people have pointed out the necessity to strictly control certain aspects of the lottery operation—

Mr. R. F. Nixon: A lot of those people didn't want one at all.

Hon. Mr. Welch: —to maintain the basic honesty and the integrity of our society. I would like to assure those who have expressed these particular concerns that I accept their words of advice very seriously and that it is the intention of the government to instruct the proposed lottery corporation to give the fullest consideration to the concerns that have been expressed, and the suggestions that have been set out, in setting up the specific details of the lottery operation.

Mr. Cassidy: And not to sell tickets in an immoral way.

Hon. Mr. Welch: I say this to my colleague from Ottawa Centre, I think there are people who have very serious reservations about this type of activity and I respect that particular point of view.

Mr. Cassidy: But either the minister is selling a lottery or he is not selling a lottery.

Hon. Mr. Welch: Every effort has been made to learn from the experience of other jurisdictions—and there's been very extensive study done on this—to learn from the experience of other jurisdictions in minimizing and, indeed, avoiding any negative side

effects. Indeed, I have every confidence that the lottery will be operated in a manner which will satisfy the majority of the residents of this province.

We've had a tremendous amount of discussion and I think it can be summarized in this way: No. 1, those who express, as I've already indicated, legitimate concerns with respect to this type of activity in raising money.

I would hope that we could take as reread the statement which I made on the introduction of the bill itself, in which I shared with the House the reasons which, in fact, prompted the government to bring forward this legislation for the consideration of the Legislature. Politics being what it is, arriving at some type of consensus with respect to those things which are, indeed, in the public interest, one must take into account the amendment to the Criminal Code itself by the House of Commons which, in fact, created the opportunity for the provinces to enter into this particular type of activity, and the period which the province itself took by way of research to look into the activities in other jurisdictions with respect to this activity, to share, as I've already indicated, in the experience of those jurisdictions.

I think it should not go unnoticed by the members of this House that a very significant aspect of this whole development is section 9. I have been very interested in listening very carefully to the concerns that have been expressed with respect to the use to which the funds will be placed.

It is my understanding that there will be some consideration given to this being referred to standing committee, and I hope that we would go to the committee of the whole House and have an opportunity to express, in our exchange, in some detail, by way of answers to specific questions, why the legislation is written in the way it is.

I want to say as the minister that I don't think we should consider this particular legislation without keeping in mind the contents of Bill 180, which was the Act which established the new ministry in the first place, particularly section 6 of that Act, which is very specific with respect to the aims and the objectives of the new ministry and why the ministry was brought into being.

As one takes into account that particular section, one must also reread the statement of the Premier (Mr. Davis) when he, in fact, indicated that he would be introducing such legislation, and indeed, the statement of my policy minister, the Provincial Secretary for Social Development (Mrs. Birch), on second reading, when she went on to describe some of the functions of the new ministry; that we would be bringing into focus these particular activities presently being carried on in other ministries, but bringing them into sharp focus in the new ministry, to give some emphasis to the importance which is attached to these programmes which add so much to the qualitative aspect of life in the province.

I think it's important to keep in mind that, having established the new ministry, having been very specific with respect to its mandate and the responsibilities to be assumed by the minister there, that ministry would, in fact, be charged with the responsibility of establishing the corporation, to give further emphasis, indeed, to section 9 of the bill which is before us, to illustrate in a very meaningful way that the government is very serious with respect to the use to which the proceeds of the lottery would be put; that the Minister of Culture and Recreation, charged with the responsibility of administering that ministry created by Bill 180, would now be asked to set up the corporation to assume responsibility to the Legislature for that corporation, the net proceeds from the activity of which were to be devoted to programmes which fall within the responsibility of that ministry. So there could be no misunderstanding with respect to the utilization of those funds, which I can understand is of such concern to the members of the House.

Let me go to section 9, because that's a very integral part of the principle of this legislation. There could have been ways to tighten up section 9 but, as far as I was concerned, this had to be subjected to the usual estimate process. It was incumbent upon this minister, the Minister of Culture and Recreation, to present his estimates to this House so that the programmes of this ministry were subject to the same scrutiny as the programmes of all ministries are subjected to at estimate time. If we had a separate fund, sort of beyond the estimate process in the Legislature, then the concern that the members opposite have been expressing about the fund all afternoon really would have been quite understandable.

What will happen here, under the circumstances—and I want to come back to the estimates for just a moment—is that in the development of the estimates of the Ministry of Culture and Recreation, in keeping with the spirit and the wording of section 9 of

the Act, we will now be able to estimate, in addition to those resources which would normally come to this ministry for these programmes, additional revenues from the corporation and be able to see them represented in the book in that particular way so that the members will be able to review, as they are entitled as a legislature to review the decisions that have been made, the priority decisions taken by the ministry.

When concerns are expressed in this House with respect to regional emphasis and with respect to a fair and equitable distribution of those funds as between sports, culture and recreation, we will have to assume the responsibility. We will have to subject ourselves to the whole principle of accountability in the same way that, for years, estimates with respect to these programmes have been brought before the House, and the decisions of whatever minister had the responsibility at the time were subjected to the same scrutiny and questioning dealing with priorities, programme delivery and the like.

What will happen, in a very practical way, is very simple. The corporation—and, incidentally, I never heard anyone raise this question today; 19 speakers have preceded me, but no one has questioned the model. We would at arm's length establish a Crown corporation and charge that corporation, within the framework of the terms of reference of the legislation, with the responsibility of organizing and developing the game. The proceeds from that particular activity, called a lottery, will then be available to the consolidated revenue fund, earmarked as they are by the terms of section 9 for these programmes.

We, of course, as we proceed with this particular matter in connection with the programmes within the policy field, will now develop our programmes, look for programme enrichments in those areas where I've heard members express their concern today, and think in terms of new initiatives within the framework of the terms of reference of the ministry.

All of this will be subject to the scrutiny of the House, and when those things are presented to the House, it will be obvious exactly what decisions have been taken within the ministry itself with respect to the programme.

Mr. Deans: How will we question—

Hon. Mr. Welch: Apart from this, I find it difficult to understand how the members opposite can see a minister going around and doing all sorts of things beyond this particular process.

Mr. E. R. Good (Waterloo North): Part of it is tied to this ministry.

Mr. R. S. Smith: The minister is only there for a year. What about the next guy?

Mr. Speaker: Order, please.

Hon. Mr. Welch: All I'm saying is that the members should be encouraged by the fact that we now have a ministry, by Bill 180, with special responsibilities in this field. We have a bill establishing a Crown corporation as the vehicle by which the lottery will be organized and the proceeds will be paid into the consolidated revenue fund. Those estimates will reflect themselves in the programmes, as members will be able to see.

Mr. Good: It is tied to his ministry.

Hon. Mr. Welch: May I draw the attention of the members of the House to the expenditure estimates for 1974-1975 of the social development policy field, being volume 4 of the estimates. I would point out that on pages S20 and S36 one could get some appreciation of what this government from tax revenue is already expending in many of these fields.

Mr. Deans: And that is appropriate.

Hon. Mr. Welch: The statement of the Premier and the statement of the Minister of Culture and Recreation have been quite clear, that revenues from the Ontario Lottery Corp. will be in addition to what the government is already expending in these particular fields. I think that it's very important that we appreciate that.

Let's take a look for just a moment at page S20 of those estimates. If I read these estimates clearly, and the House has already passed them in the Ministry of Colleges and Universities, we see what is called the cultural and general education programme. We see the House has already voted $51,492,000 for these programmes. We talk about the Province of Ontario Council for the Arts, $7 million, and building conservation, $1 million. We haven't discovered those things just by the introduction of this particular bill.

What we are saying is that the people of this province, through systems of taxation, are already making substantial contributions in this field. We think perhaps we can do even more on the basis of this particular

activity, which seems to be a popular activity on the part of so many people.

Mr. Good: Why tie it to this ministry, then?

Hon. Mr. Welch: It comes to $51,492,000. Look at page S36 and see the community services division of the present Ministry of Community and Social Services. What we see there that members have already approved is $10,088,000, being the total for community services, subsidies and grants to community groups and agencies.

Mr. Deans: A pittance.

Hon. Mr. Welch: The substantial part of that programme and the one that I just made reference to earlier are coming into the new ministry.

Mr. Roy: The minister is being political with that system.

Hon. Mr. Welch: We are not talking about developing something new. I can appreciate the fact that there may be some legitimate concern on the part of many members of this House that maybe they don't think that's enough, but that's all part of the exercise at estimate time. Members had the opportunity to question these ministers at the time they submitted their estimates as to whether they were, in fact, spending enough on these particular programmes.

Interjections by hon. members.

Hon. Mr. Welch: What is the point that I make? The point that I am making now, in answer to the member for Nipissing and so many others, is that there is already an established pattern with respect to where moneys in the culture, recreation, physical fitness and—

Mr. Roy: The minister is being political with that pattern.

Mr. Speaker: Order, please.

Hon. Mr. Welch: —sports fields are being spent. It should be of no particular surprise that when the Minister of Culture and Recreation submits his estimates we will be talking about the same programmes, but we will be talking about that much more money for them because we will be estimating revenues from another source which, by virtue of section 9 of the Act incorporating the Ontario Lottery Corp., will belong to those programmes. That's the point I am making.

Mr. Deans: What happens if the ministry doesn't raise the money?

Hon. Mr. Welch: The point that I am making is that these revenues, whatever they may be—

Mr. Deans: What it means is that the minister is going to cut off any future expansion from the public purse.

Mr. Speaker: Order, please.

Hon. Mr. Welch: No, whatever they may be will come under the scrutiny of estimates. The hon. member for Wentworth will understand that we will have to make that particular estimate at the time.

Mr. Deans: It means that from now on any additional moneys will be raised by way of lottery.

Mr. Speaker: Order, please. The hon. members have all had a chance to make their contribution.

Hon. Mr. Welch: I am satisfied and I will stand by this. I say to my colleague from Waterloo North I stand by this, that I think one of the principal points that makes the lottery acceptable to large numbers of people in this province is the fact that it will be spent for these purposes.

Mr. Deans: It is the chance that they might win.

Mr. R. S. Smith: The minister is fooling those people.

Mr. Speaker: Order, please.

Hon. Mr. Welch: I say to my hon. friend that that is the whole point, that if in fact there is some reason for the province to take advantage of the permission granted by the Criminal Code of Canada, if in fact they are impressed by the reasons which prompt us to bring in this legislation, then we think there is some real obligation on our part to make sure that as much of the proceeds of the game as possible goes back to the people of the province who in fact are supporting the game. Let's take a look at that on estimates.

Interjections by hon. members.

Mr. Good: The minister doesn't say that.

Mr. Speaker: Order, please.

Hon. Mr. Welch: Well, the member's son won a car; I have never won a car. But my daughter did win an afghan the other day from a church draw, to tell you the truth—a blanket of some kind. The same as the mem-

ber for Prince Edward-Lennox. Mary-Jayne won it.

Anyway, the point of the matter is that on the basis of estimates that I have—I say this to my hon. friend from Waterloo North, who I am sure is waiting on every word I say in this particular debate—out of every dollar, 80 cents is going to go back to the people immediately, 40 cents of it in prizes to those who played the game, another 40 cents in the transfer of payments that come with respect to the enrichment of these programmes. A substantial amount of the other 20 cents is going to go back to non-profit and charitable organizations in commissions for the sale of tickets. So a very substantial amount of the money is going back to the people anyway. And they have had the pleasure of playing the game.

Mr. R. S. Smith: Now we know. Now we know.

Mr. Breithaupt: Sounds like a shell game to me.

Interjections by hon. members.

Hon. Mr. Welch: I would hope, notwithstanding the hour, that members who have taken part in this debate have realized that the concerns have all been taken into account. I would underline the fact that I have been very impressed by the nature of this debate and I can assure the House that as the minister who will be responsible to this House for the activities of this corporation, that the concerns that have been expressed tonight will be passed on to that corporation. I would ask the members of this House now to give this bill approval in second reading.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Some hon. members: No, committee of the whole.

Mr. Speaker: Committee of the whole House.

Agreed.

Mr. Breithaupt: On a point of order, Mr. Speaker, I am wondering if we could just elicit some information from the minister concerning his direction of the bill to committee of the whole House. Perhaps the minister can advise us just when he intends to have this lottery in place and beginning its sales.

The presumption is that if it is going to be after the Olympic lottery, then there is plenty of time for it to go through a standing committee stage, even if it meant that this bill would be dealt with substantially in the next session. However, if we are going to be here for several more weeks, as is likely the case, surely the bill could be dealt with in a standing committee stage so that we could have the input—which the correspondence already referred to in the debate has suggested would be available—by those citizens of our province who might wish to comment.

Hon. Mr. Welch: Mr. Speaker, I would say in reply to the House leader for Her Majesty's loyal opposition that the point with respect to the Olympic lottery was covered in the statement of the minister at the time of the introduction of the bill for first reading, and I am quite satisfied that the activities of the provincial lottery corporation will in no way be a concern for the Olympic lottery.

My instructions to the corporation, once it is formed, would be to establish the terms of reference for a lottery, and that they would have their first lottery as soon as practicable. So I would like the bill now to go to committee of the whole House.

Clerk of the House: The third order, House in committee of the whole.

Mr. Speaker: The order has been called for committee of the whole House.

Mr. H. Edighoffer (Perth): Mr. Speaker, on a point of order—

Mr. Speaker: Order, please. Yes, the point of order—

Mr. Edighoffer: Earlier during the debate I read a statement out of a letter of the Premier's stating that this bill would go to standing committee and I wonder if the minister will acknowledge the—

Mr. Speaker: It's the minister who directs the destiny of the bill after second reading—

Mr. Cassidy: But the Premier's promise is pretty important.

Mr. Speaker: —and he has so directed it to the committee of the whole House and that order has been called.

Hon. Mr. Welch: That is not the commitment at all of the Premier, I say to the member for Perth, that it would go to a standing committee.

Mr. Roy: Doesn't the minister think it is a good idea anyway? That's where it should go.

Mr. Speaker: Order, please.

Hon. Mr. Welch: We prepared that letter and there is no reference to a standing committee. That's the point that the member for Perth is trying to make. Let's be fair. We talked about substantial input.

ONTARIO LOTTERY CORP. ACT

House in committee on Bill 191, An Act to incorporate the Ontario Lottery Corp.

Mr. Chairman: Are there any comments, questions or amendments to Bill 191? The hon. member for Kitchener, what section?

Mr. J. R. Breithaupt (Kitchener): Section 1.

On section 1:

Mr. Breithaupt: We will talk about the definitions and this whole idea of the lottery scheme. Presumably, we were to have a substantial input as we developed this idea of a lottery scheme. It would appear, Mr. Chairman, that we had rather an unfortunate difference of opinion as to the approach that should be followed.

As the minister will confirm, this bill was introduced on Jan. 30, which happened to be last Thursday. The bill now is to go not only through the second reading debate five days later but also in committee. Presumably it will receive third reading almost immediately and it will be all attended to.

I don't think that that can be equated with substantial input. I would think that the minister perhaps could give us some idea as to whether this input has occurred outside of the chamber or whether he is satisfied that those groups who would be interested have had an opportunity to deal with this matter.

Hon. R. Welch (Minister of Culture and Recreation): Mr. Speaker, I don't know what reference this has to section 1 but I think that perhaps we should clarify it here. The member for Perth (Mr. Edighoffer)—and I am sorry he is not here because I had intended to make some reference to this—did make some reference to an undertaking sent out in a letter from the Premier (Mr. Davis). I think it was unfortunate that there were those who interpreted that as meaning going to standing committee because that's not what the letter says.

Mr. A. J. Roy (Ottawa East): How else is the public going to have input?

Hon. Mr. Welch: Wait a minute. This government can get its advice in a number of ways. There have been all kinds of speculation about whether or not we would proceed by way of lottery. In fact, it was the speculation which prompted the letter to which the reply was given in the first place. There are many ways in which this can be interpreted.

I find it difficult and I don't want to be misunderstood. We had general approval of the principle of a lottery corporation just a few minutes ago. This Legislature is a representative system of government and we are all accountable for how we have voted on this particular matter now. The House has accepted the principle of a lottery.

Having accepted the principle of a lottery, there may be some concern with respect to some of the details of the lottery. I would think that there would be ample opportunity for those who have written to express their concerns. If these people who have written have some concern with respect to some of the details with respect to its operation, they would be encouraged to share that with the corporation from which we would expect decisions with respect to these details.

I invite members to consider that the House, the democratically elected Legislature, has approved that there would be a lottery in principle. What remains are some of the details with respect to the operation which we by virtue of the legislation have now turned over to a corporation.

I met yesterday with the chairman of the committee which the member for Perth meant and heard his particular concerns. His concerns were with respect to the principle, as to whether there should be a lottery at all. The members who have been elected by the people of this province have already decided by vote that there will be a lottery in this way. So the principle has been settled by the elected representatives. What remains is some of the details.

Mr. I. Deans (Wentworth): We don't need a lecture in politics or the democratic process.

Hon. Mr. Welch: I must say to members as a matter of fact, that in representative government I am prepared to accept some responsibilities for this. I now invite the Chairman of the House to proceed to consider this bill clause by clause in committee of the Whole.

Mr. Deans: You don't have to direct the Chairman how to do his business.

Mr. Chairman: Is there any further discussion on section 1 of the bill?

Mr. Roy: On a point of order, Mr. Chairman, I would just like to ask the minister how a group in my riding which has some objections to some of the mechanics of the bill—where the money should go or should not go—is going to make representation in the House here.

Hon. Mr. Welch: They could come and see the minister.

Interjections by hon. members.

Mr. Roy: Yes, after he has passed the legislation.

Mr. Chairman: Order, please.

Hon. Mr. Welch: Mr. Chairman, I can't let a statement like that pass. This member has just asked me with respect to anybody in his riding who wants to make representation as to where the proceeds go. How does that differ from the way this government has been acting for years when people come in and see ministers day after day, making representations with respect to their particular projects? That will always be available to them.

Interjections by hon. members.

Mr. Chairman: Shall section 1 carry?

Any comments on section 1 of the bill?

Mr. Breithaupt: Yes, Mr. Chairman. Following the comments that the minister has made, I would at least remind the minister that we've had, within the last several weeks, one of these Thursday and Tuesday debating sessions, whereby a certain bill was passed with respect to travel agents.

The fact that it went through very quickly without any input—even though the House approved of it in principle—but without any input from the persons particularly involved in that circumstance, brought a great deal of difficulty down on the heads of the government.

The point, therefore, that we have made, solely, is that while the House agrees in principle with this matter, we would think that it would be by far the best balanced way to look at this to allow the matter to stand for a few days in order that those who may be concerned could attend to it.

Mr. P. D. Lawlor (Lakeshore): Let them make their mistakes.

Mr. Breithaupt: Well, it would appear, as the hon. member for Lakeshore says, that the government is determined to make its own mistakes, so let us therefore proceed with it.

Mr. Chairman: The Chair fails to see where this discussion applies to section 1 of the bill.

Shall section 1 carry?

Section 1 agreed to.

Mr. Chairman: Any comments, criticisms or amendments to any other section of the bill?

Mr. Breithaupt: Mr. Chairman, section 3.

Mr. Chairman: Section 3, the hon. member for Kitchener.

Mr. Breithaupt: On subsection 1, the particular point which I had raised in my remarks earlier was that dealing with the numbers of members of the corporation and the backgrounds of those persons who might be involved.

Mr. M. Cassidy (Ottawa Centre): On a point of order, Mr. Chairman, that's where I wanted to comment, under section 2.

Mr. Roy: So did I. I wanted to comment on section 2.

Mr. Chairman: Perhaps the hon. member for Kitchener will defer. We'll deal with section 2; the hon. member for Ottawa Centre.

On section 2:

Mr. Cassidy: That's correct, Mr. Chairman. I just wanted to bring the minister a bit to task on this. I haven't taken part in the debate, and I don't intend to take part in it to any great length, but when the minister says that he will determine where the money is going—

Hon. Mr. Welch: No, I didn't say that.

Mr. J. A. Taylor (Prince Edward-Lennox): He didn't say that.

Mr. G. Nixon (Dovercourt): The member is wrong again.

Hon. Mr. Welch: I didn't say that. I said that as far as making decisions goes, it was no different than any other ministry bringing forward a programme for the consideration of the House at estimate time.

Mr. Deans: Well, can I ask a question?

Mr. Cassidy: No, the minister is making rather a different comment and implying that he will make the decisions in a kind of patronage fashion, which is what the hon. member for Riverdale (Mr. Renwick) was very upset about.

Mr. Lawlor: Of course. That's what he intends. That's what it's all about.

Mr. Cassidy: And that would seem to be what he intends. There has been the creation of a number of agencies in order to handle certain grants in the culture and recreational field in order to insulate it from the kind of patronage of which the minister now speaks.

Hon. Mr. Welch: Well, that is what I said.

Mr. Lawlor: Oh, come on. The minister is the Santa Claus of ice cream.

Hon. Mr. Welch: But I say in all fairness to the member for Ottawa Centre—

Mr. Lawlor: Come off it. He is carrying his big bag all year round.

Hon. Mr. Welch: With respect to the apportionment of those funds—

Mr. Lawlor: The giver of gifts. The benefactor of benefactors. The light of the western world.

Hon. Mr. Welch: But the hon. member for Ottawa Centre is quite legitimately interested in this, and I think he makes a very valid point. The cultural affairs division of the Ministry of Colleges and Universities is coming to the new ministry. We'll be accountable to this House at estimate time with respect to how we, in fact, recommend certain expenditures.

Mr. Lawlor: Yes, it is what they have already done.

Hon. Mr. Welch: One of the agencies there is the Province of Ontario Council for the Arts, which in turn deals with other agencies. At the moment we've already voted $7 million to them for 1974-1975. If it was a priority-making decision, the ministry would recommend more, estimating some funds from the proceeds of the lottery. That would be right there in the estimates. All I'm saying is in the normal—

Mr. Deans: Yes, but—

Hon. Mr. Welch: Wait a minute now. It's the point of the hon. member for Ottawa Centre. All I'm saying is that—

Mr. Lawlor: Don't give us that malarkey about estimates. Has the minister ever seen the estimates change by five cents, by a centum?

Hon. Mr. Welch: All ministries perform this way and are accountable to the House for the priority decisions which we make from the standpoint of the consideration of the estimates.

Mr. Lawlor: Don't put on an act.

Mr. Breithaupt: Might I ask a question following that wonderful answer, Mr. Chairman?

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: Are we then to assume that in addition to those moneys which, perhaps, have been granted from time to time in the estimates of those areas that are coming into your ministry, in addition to those moneys there will be an allocation out of the net proceeds of this lottery for perhaps even further programmes, so that the second will not replace the first, but will definitely be in addition to the first?

Hon. Mr. Welch: A very important point, and the answer is yes. That's a very important point.

Mr. Chairman: The member for Wentworth.

Mr. Deans: What I want to understand is, you talk about $7 million for the Ontario Council for the Arts, and you decide that you are going to spend $10 million on the Council for the Arts; are we to assume that any upgrading of the amounts that will be made available in any year after this year will then be moneys raised out of the lottery? How are we going to be able to tell what moneys are being raised from what sources? How are we going to know how much of the lottery money is going into the Council for the Arts or how much of it is, in fact, tax revenue?

Hon. Mr. Welch: Very simply—at a definite time you would ask.

Mr. Deans: Yes, we would ask, but let me point something out to you, in section 10 it says—

Hon. Mr. Welch: Yes, but—

Mr. Chairman: The member for Wentworth has the floor.

Mr. Deans: Yes. It says in section 10:

> The Lieutenant Governor in Council may authorize the Treasurer of Ontario to make advances to the corporation in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may deem expedient.

Hon. Mr. Welch: That's the corporation; nothing to do with the ministry.

Mr. Deans: No, that's true, but the corporation will in essence get all the money initially; all of the money raised will be going directly to the corporation. Anything in excess of the operating expenses, which will be significant—not the excess, the expenses—will then be returned to the consolidated revenue fund. Is it not then possible that the Lieutenant Governor can designate money into the corporation which will, in turn, be returned into the revenue fund?

Hon. Mr. Welch: That section only talks in terms of its organization.

Mr. Deans: It doesn't talk in terms of its organization; it talks in terms of the Lieutenant Governor's right to make advances in any such amounts and under whatever conditions the Lieutenant Governor in Council dictates; and we know who the Lieutenant Governor in Council is.

Hon. Mr. Welch: To answer your question, no.

Mr. Deans: No? So how do we know then? How are we able to tell? Are you going to be spending, in any given year, only the money that was raised in the previous year by the lottery?

Hon. Mr. Welch: No.

Mr. Deans: Are you going to be anticipating what the lottery may well raise?

Hon. Mr. Welch: Yes.

Mr. Deans: You are going to be doing that?

Hon. Mr. Welch: Yes.

Mr. Deans: And you are going to be then handing the money out in advance of raising it?

Hon. Mr. Welch: Yes.

Mr. Deans: How then are you going to answer to us during those estimates how much of the money is, in fact, lottery money?

Hon. Mr. Welch: It would be quite possible to do.

Mr. Deans: It is impossible, because you don't know how much you will raise. You are spending it before you have raised it.

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): I think, Mr. Chairman—

Mr. Chairman: We are still on section 2?

Mr. Young: Yes. I think perhaps the question I had has been answered. I presume that what the minister has just said is that the estimates are there for the fiscal year, he is estimating the amount that will be raised, and then if that amount is not raised the rest will have to come out of consolidated revenue, or from loans, or something of that nature?

Hon. Mr. Welch: Right. Or in fact—

Mr. Deans: But you have already spent the money.

Hon. Mr. Welch: —it could come out of other revenues as well.

Mr. Chairman: Before the Chair recognizes the member for Ottawa East, may I point out that the section 2 we are debating is rather broad in terms of the whole administration, but I think that the details of the administration are covered in the subsequent sections, so let's not prolong the discussion on section 2 in a broad sense. The hon. member for Ottawa East.

Mr. Roy: If we don't get some answers we will have to prolong the discussion, Mr. Chairman.

The question I want to ask the minister is: In section 2 you say the minister is responsible for the administration of the Act, and in your subsection that defines minister you don't say which minister it is; if it is your Ministry of Culture and Recreation, or whatever you call it, why wouldn't you specify it in the Act?

Hon. Mr. Welch: Section 1 has been carried.

Mr. Roy: No, no, never mind the technicalities; just answer my question.

Hon. Mr. Welch: It is very important to have rules to follow in debates. Section 1 has been carried.

Mr. Roy: Why are you being so political and so edgy on this? Why don't you just answer the question? It is going to go a lot easier.

Mr. R. S. Smith (Nipissing): You broke every rule in the book in section 9.

Mr. Chairman: The Chairman would rule that we should deal with section 2. Section 1 has been carried.

Mr. Roy: Is that the approach? Mr. Chairman, on a point of order, when I look at section 2 I see "minister," and then I have to go back to section 1 and ask myself who the minister is, and I can't see it in any other subsection.

Surely I am entitled to ask this minister who the minister is? Why wouldn't you specify in the Act who the minister is?

Hon. Mr. Welch: The minister is designated by the Lieutenant Governor in Council. It is the intention of the government to designate the Minister of Culture and Recreation.

Mr. Roy: But why wouldn't you put it into the Act?

Hon. Mr. Welch: Section 2 is absolutely necessary. Surely to goodness you understand that section 2 is necessary to have some accountability to this House.

Mr. Roy: Right. But why wouldn't you put it into the Act that when you are referring to the minister, you're referring to you as the Minister of Culture and Recreation?

Mr. Deans: That business about accountability to the House is nonsense.

Mr. E. R. Good (Waterloo North): Put in an amendment.

Mr. Roy: Why wouldn't you put it right in the Act?

Mr. J. E. Stokes (Thunder Bay): Have you picked a deputy yet?

Hon. Mr. Welch: Malcolm Rowan.

Mr. Chairman: Shall section 2 carry?

Section 2 agreed to.

Mr. Chairman: Are there any comments on section 3(1)?

Mr. Breithaupt: Mr. Chairman a few moments ago I started my remarks with respect to this matter simply to ask about the background that is expected of the persons to be named to this corporation and the reasons for setting the numbers between three and seven.

I realize that we're not looking at the kind of a board of directors that perhaps the Ontario Heritage Corp. or something else even more broadly based would require. I'm wondering how the minister sees the board being established and why that variety of possible numbers was picked.

Hon. Mr. Welch: Mr. Chairman, I'm not particularly wedded to the numbers. I think we were looking at some precedents with respect to minimum and maximum.

Mr. Stokes: He hasn't got into the numbers game yet.

Hon. Mr. Welch: I have been impressed by some points raised in the course of the debate on second reading with respect to the representation on this particular board, especially the concern that some expressed about regional representation and that sort of matter.

As you know, there's no obligation to appoint seven, and the fact is that there should be at least three. In fact, if anyone has any concern about this, or would like to make it a smaller board, you're not going to have any objections as far as I'm concerned. I think there might be some advantage in leaving it this way to make sure that perhaps we do have the type of representation on the board to which I've heard some comments addressed this evening. That's all. I'm quite open to any suggestions on the matter.

Mr. Breithaupt: It's difficult, of course, to get much of a regional balance if you have only three members. On the other hand, if you're looking at a board of, seven persons, shall we say, it might be better to strike a balance of five to nine, say, if that is what is wanted. I guess it really depends on the size of board you expect to want, if you think that's large enough.

Hon. Mr. Welch: On the basis of what I've heard tonight, and knowing that there are very legitimate differences of opinion on different matters, I'd like to have a fairly representative board. I must say that I can't add anything more to the comments I made before. If you'll leave that with me and, knowing that we have this particular latitude, we will get busy to establish our board as quickly as we can.

Mr. Breithaupt: Would the minister accept an amendment to change the word "seven" to "nine"?

Hon. Mr. Welch: Sure.

Mr. Deans: And the word "three" to "five"?

Hon. Mr. Welch: I think there are some reasons to leave the minimum at three, but I would be glad to accept the amendment suggested by the member for Kitchener.

Mr. Chairman: Would the hon. member move the amendment?

Mr. Breithaupt moves that the word "seven" at the end of the fourth line in section 3(1) be changed to "nine".

Motion agreed to.

Mr. Deans: Now you can appoint five as you always meant to do.

Mr. Chairman: The hon. member for Yorkview. Do you want to speak on section 3(1)?

Mr. Young: No, I am speaking on another aspect of the same section.

I would like to ask the minister how he envisages this board in terms of full-time and part-time people. Does he think there will be enough work for full-time people? What about the chairman? Will he be full-time?

Hon. Mr. Welch: My opinion at the moment is that the chairman and the members of the board would be part-time. They would be the policy determining body; they would address themselves quickly to such questions as the price of tickets, frequency of draws, prizes and the like. The full-time individual would be the general manager or executive director, whatever he is to be called—I think it's general manager—and a minimal staff would be necessary to deal with distribution agencies and that sort of thing. To answer the question of the hon. member quite specifically, I see this board as a part-time board making this type of policy determination.

Mr. Chairman: The hon. member for Stormont.

Mr. G. Samis (Stormont): In view of the minister's answer, could he tell me how this would compare with existing boards in Quebec and New York state in the administration of their lotteries?

Hon. Mr. Welch: You mean as far as size is concerned?

Mr. Samis: Size, part-time vs full-time employees.

Hon. Mr. Welch: I must admit that I would think what we propose here is somewhat consistent with the results of the experience we've had from other jurisdictiins.

Mr. Samis: Would it be identical?

Hon. Mr. Welch: No, I think in view of the amendment that perhaps the boards in some other jurisdictions are smaller.

Mr. Chairman: Shall section 3(1) carry?

Carried.

Mr. Chairman: Any other comments, criticisms or amendments? The hon. member for Ottawa East.

Mr. Roy: Mr. Chairman, I'd like to ask the minister what sort of remuneration he has in mind for these directors of the corporation.

Hon. Mr. Welch: I haven't got it with me, Mr. Chairman, but I think there's a Management Board scale on a per diem rate that you pay these boards and commissions.

Mr. Roy: Per diem?

Hon. Mr. Welch: Yes, it is simply on a per diem basis.

Mr. Roy: Including your chairman?

Hon. Mr. Welch: That would certainly be the case for part-time people, that's my understanding. I haven't the Management Board directive before me, but I think it is on a per diem basis.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: How many women do you propose to have on this board?

Hon. Mr. Welch: I certainly hope there would be women on this board.

Mr. Cassidy: What proportion?

Hon. Mr. Welch: We don't approach these things on a quota basis.

Mr. Cassidy: Sure you have a quota system; very few, tokenism all the way.

Hon. A. Grossman (Provincial Secretary for Resources Development): It is strictly on talent.

Interjections by hon. members.

Mr. Chairman: The member for Stormont.

Mr. Samis: You've agreed to expand the size of the board, would you now give serious consideration to the suggestion I made this afternoon vis-à-vis eastern Ontario?

Hon. Mr. Welch: There is no question about that. I think it is important, just to reiterate that point and to underline that point.

Mr. Good: Fern Guindon is going to be chairman.

Hon. Mr. Welch: There would be a very honest attempt to make sure there would be representation from all parts of the province on the board.

Mr. Good: Ready made for Fern Guindon as chairman.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: Does the minister anticipate the board will give any advice to the minister or to the government as to the disposition of the proceeds from the lottery after prizes and expenses?

Hon. Mr. Welch: No.

Mr. Chairman: Any other comments, criticisms or amendments on any other section? The hon. member for Nipissing.

Mr. R. S. Smith: I have a comment on section 8, Mr. Chairman.

Mr. Chairman: Are there any other comments prior to section 8?

Mr. Roy: Mr. Chairman, I want to comment on section 4.

Section 3, as amended, agreed to.

On section 4:

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Roy: Ottawa East.

Mr. Chairman: Ottawa East, I'm sorry.

Mr. Cassidy: East, yes; they tried to put us together.

Mr. Roy: I wouldn't stand for it.

Mr. Chairman, in relation to my earlier comment about the payment of directors, the minister stated it was on a per diem. Now the chairman himself, I take it will not be on a per diem, he will be on a flat—

Hon. Mr. Welch: He will be part-time, he will get the same.

Mr. Roy: Oh, he may well be part-time?

Hon. Mr. Welch: Yes, I responded to the member for Yorkview on that question, that it is our plan at the moment to have all members of the board, including the chairman, part-time.

Mr. J. A. Taylor: To what end?

Hon. Mr. Welch: We want to cut down expenses, that's all.

Section 4 agreed to.

On section 5:

Mr. Chairman: The hon. member for Yorkview.

Mr. Young: I would like to ask a question with regard to the composition of the employees of the board. Is it the minister's plan that we should have all the work done by direct employees of the board or does he think in terms of contracting out a good deal of the management work and the work in connection with administering the whole lottery?

Hon. Mr. Welch: I really envisage a very small staff. There is some section, I just can't put my finger on it now with respect to public service—yes, section 6 talks about the staff, and I think it will be a very small staff. They would more than likely, as any corporation does, contract out on the special services required for whatever type of promotional activities are undertaken.

The staff would be very minimal. I mean I would want, in establishing a Crown corporation, to leave that particular management decision to them; but certainly from the standpoint of secretaries, any support staff the general manager might need would be very small. They would be, I would assume, permanent employees, and the corporation would in fact contract out activities such as distribution of tickets, promotion and that sort of thing.

Mr. Young: Then I presume, Mr. Chairman, that the minister envisages certain companies bidding for this kind of work, and then the person whose offer is most advantageous to the lottery would get the contract?

Hon. Mr. Welch: As far as these other activities are concerned, yes.

Mr. Young: The minister is convinced this is the most efficient way to run the lottery?

Hon. Mr. Welch: Yes.

Mr. Deans: Would it be the intention—

Mr. R. S. Smith: I have a question on that section.

Mr. Deans: On the same point, I just wanted to ask—

Hon. Mr. Welch: If it's all right with the Chairman, section 5 really doesn't deal with that particular point; section 6 deals with staff. If there are any questions on section 5, I would be glad to handle them.

Mr. Chairman: Shall section 5 carry?

Section 5 agreed to.

On section 6:

Mr. Young: Bylaws governing the operation would be the point to speak to here.

Hon. Mr. Welch: If I perhaps haven't been clear, section 6 goes on to talk about job classification and personnel and the application of the Public Service Superannuation Act for the few employees there would be as far as the corporation was concerned. What I was trying to explain as a matter of clarification was that there may be other activities, promotion and sales distribution for example, which of course wouldn't be done by employees of the corporation but would be covered hiring this type of service on this type of activity. That's why I was commenting on the point the member made a little earlier.

Mr. Chairman: Shall section 6 carry?

Section 6 agreed to.

On section 7:

Mr. Chairman: Shall 7 carry?

Mr. Roy: I just wanted to ask the minister to make a comment on this. I'm not sure you answered some of the questions that were asked earlier about whatever arrangement you have with the Province of Quebec and when you plan to have this thing start. Possibly I wasn't here, as I had to leave for a while. Section 7 talks about the object of the corporation being to develop, undertake, organize, conduct and manage lottery schemes. What I am wondering is where are you planning to have these people start this? I don't know if you answered that in your general comments at the end of the bill.

Hon. Mr. Welch: I would hope, if it is the will of the Legislature that there be such a corporation established, that once it is established they would be encouraged by me to proceed with their job and to have the first game as soon as possible.

Mr. Roy: As soon as possible? You don't have any arrangements with the Province of Quebec or the federal government as to the Olympic lottery; that you will not set anything up in competition in the meantime?

Hon. Mr. Welch: If I could draw your attention to the statement I made on the introduction of this bill, we've already cleared that point with the Olympic lottery people, who have encouraged us to get into the field right away. There is no concern on our part with respect to our lottery competing with the Olympic lottery. This is no problem as far as they are concerned or as far as we are concerned.

Mr. Roy: What you are saying is that in all likelihood these people will start raising money this year and you will be using some of that money next year for some schemes for physical fitness, sports and all of this. Is that what you are saying?

Mr. Cassidy: He's got to have someone to finance his ministry.

Hon. Mr. Grossman: We will try to keep Drapeau from having an abortion.

Section 7 agreed to.

On section 8:

Mr. Chairman: The hon. member for Nipissing.

Mr. R. S. Smith: Yes Mr. Chairman, I have some comments to make, particularly in regard to subsection a, which is the method by which the distribution of the tickets will take place across the province. I think this is the part that has been referred to previously, but actually it does come under subsection a of section 8.

As I indicated earlier in my remarks on second reading, I believe the distribution of the tickets should be closely held by the government. I don't think it should be put out to tender for distribution. I believe there are certain places in the province that are set up now where people are used to buying lottery tickets to start with as a result of the Olympic lottery, and secondly where the provincial government already has people who could sell the lottery tickets very easily.

Mr. Breithaupt: At no cost.

Mr. R. S. Smith: At no cost at all to the province. I noticed that the minister has indicated again tonight, as he did in his statement the other day on the introduction of the bill, that 20 per cent of the moneys he feels will be generated by the lottery will be expended in expenses on the sale of the tickets, as well as administration of the corporation.

Hon. Mr. Welch: That's an estimate.

Mr. R. S. Smith: That's an estimate, and I would say that's a very high and generous estimate. I should hope that perhaps it could be kept down to around 12 or 13 per cent; which would perhaps be more realistic, particularly when one looks at the experiences of some of the other lotteries, such as in Manitoba where I understand the expenses are running around 12 per cent.

Mr. Stokes: They are very efficient.

Mr. R. S. Smith: Very efficient. They are also the one province that doesn't give you the cash money, they just give you the interest on the money. They are very efficient in that respect, too.

Mr. R. S. Smith moves that section 8, subsection (a), be amended by striking out all the words after "corporation" in line two and substituting the words "in retail outlets operated by the Liquor Control Board of Ontario and in chartered banks and in all Province of Ontario Savings Offices and prescribing the fees, commissions and discounts in such sales."

Mr. R. S. Smith: Mr. Chairman, in effect the amendment restricts the sale of the tickets to liquor stores now operated by the Liquor Control Board, chartered banks in the province and the Ontario savings branches that operate across the province.

I feel in this way that we do away with the whole question of whether or not this matter of distribution would become one of political patronage. Secondly, I think in this way the costs could be curbed, because two of the institutions that I have named in the amendment are now presently staffed by provincial government employees. They could easily carry out these functions without additional staff. Thirdly, the chartered banks have carried out the process—

Mr. W. Ferrier (Cochrane South): How come he left out drugstores?

Mr. R. S. Smith: No, we don't want anybody outside of those who will keep the costs down.

The chartered banks have already become the place where people go to buy their lottery tickets for the Olympic lottery; so that is the other natural place that people go.

The intention of my amendment, therefore, is to cut the costs of administration and to curtail the whole question of whether or not it may or may not become a political question as to who sells or who doesn't sell lottery tickets. I think that's important, because right now under the lottery distribution system that has been established by the Olympic lottery organization, there has been some question of patronage.

There is the situation of people who have got sections of this country tied up and they are the only ones through which the lottery tickets are funnelled. For example, there is a person in Sudbury who has northern Ontario tied up. During the seven lotteries that are being run for the Olympics, he stands to realize a profit in excess of $200,000. That's one single person appointed some way or other, I understand, through the Olympic lottery commission.

Beyond that person there are distributors below him who are paid so much a ticket for distribution. Their incomes on the seven lotteries in my city alone are going to be in the area of $20,000 to $25,000. So it becomes a very lucrative business. Each one of these people to whom I refer is operating it as a sideline.

That is why many people in this province question whether or not we should get into lotteries, because it becomes a question of morality. In some cases it may well become a question of political morality. I don't believe it should even be given an opportunity to become that kind of question.

That's why I put forward this amendment, so that people would know how the lottery tickets are to be sold and where they could buy them. They would know that the institutions through which they are being sold are all above board, there is no middleman, nobody is making a large profit, and the expenses can be kept to a minimum.

I would ask the minister to comment on this and to accept this amendment as the most reasonable one in light of the experiences in other jurisdictions, and in light of the experience of the Olympic lottery.

Hon. Mr. Welch: Well Mr. Chairman, the amendment is quite unacceptable, and I want to share my reasoning with the member.

No. 1: I don't think we want lottery tickets associated with liquor sales in the Province

of Ontario. I say to you, with the greatest respect that that would mean that the province itself would be making commissions on the sale of its own tickets. I think that in view of some of the concerns I have expressed, I would like to separate the sale of alcoholic beverages from the sale of lottery tickets in Ontario. I say that quite sincerely.

Mr. R. S. Smith: Why?

Hon. Mr. Welch: I don't think the province should in fact benefit, through commission income, on the sale of the tickets, that's why.

Mr. Cassidy: You make more profit on the tickets than on the booze, that's why.

Hon. Mr. Welch: Plus the fact I think there should be some distinction made between the two products that are being sold; that's number one.

Mr. Stokes: You are saying that there is nothing wrong with each of them singly, but you couple them together and it is a sin.

Hon. Mr. Welch: I am not saying there is anything wrong with them both being together. I am simply saying they are government liquor stores, and I really invite you to consider the fact that commission income is now coming to the liquor board in the sale of some commodity which they were not brought into being—

Mr. Breithaupt: Don't pay it.

Mr. R. S. Smith: Don't pay a commission; that is what I am suggesting to you.

Hon. Mr. Welch: Now the other thing is this, that the distribution system—

Mr. R. S. Smith: Are you listening, Mr. Minister?

Hon. Mr. Welch: Well I listened to you; and I am awfully glad to see you back in form. I think as a matter of courtesy you might now listen to me.

Mr. Roy: Yes but you are not answering his question.

Hon. Mr. Welch: I didn't interrupt you. I don't recall having interrupted you for one second when you discussed your amendment.

Mr. R. S. Smith: I was talking to the point and you are not.

Hon. Mr. Welch: When I am finished you can stand up, because I don't think there are any restrictions in committee for you to comment on what I am saying.

Mr. Chairman: Would the hon. minister continue?

Hon. Mr. Grossman: Get this minister mad and you are in trouble.

Hon. Mr. Welch: No. 2: The distribution system is the key to the success of this whole game. I said at the time that—

Mr. R. S. Smith: Just like every other Tory.

An hon. member: That's right.

Hon. Mr. Welch: I said at the time of the introduction of this bill and on second reading, if the member for Nipissing would like to listen, that we found the most successful distribution system is that employed by the Olympic lottery people. I also mentioned at the time that—

Mr. R. S. Smith: There are political considerations?

Hon. Mr. Welch: Well, that I don't know. I am not aware of that, if there are, and your judgement of that matter is an important consideration. I don't know of any political considerations that were given in that regard.

No. 2: There was great concern expressed and part of our research was with respect to charitable and non-profit organizations, many of whom might like to be ticket agents and sell tickets instead of having their local draws. This is precluded by your amendment.

There is no way in which we can force the chartered banks to accept our commodity for sale, and I tell you that you will put such limitations on this that in fact it will impair the success of the game. The amendment of the hon. member is not acceptable. I would rather leave to the corporation the development of a distribution system which it feels would result in a successful draw that would involve far more people—the little merchants of the province, the mom-and-pop stores throughout this province, thinking in terms of the small businessmen who might benefit.

Mr. Roy: Force them to collect.

Hon. Mr. Welch: And all of these things are precluded. I would rather rely on the good judgement of the corporation to make sure of the widest distribution and so therefore I cannot accept the amendment.

Mr. R. S. Smith: Mr. Chairman, I would just like to make a few points insofar as what the minister has said. First of all, he said he didn't want them sold in liquor stores

because he didn't think they should be put together—for no reason other than the fact that liquor and lotteries might coerce people to some other kind of sinful procedure. I really don't understand that, but that seems to be what he is is saying. I am suggesting to him that if he put them in the liquor stores, the corporation would not have to pay the liquor stores a commission, and that's one of the reasons for putting them there.

The second point I would like to make is in regard to the fact that he talks about the mom-and-pop operations. The fact of the matter is that that's where he is going to get into the politics of the distribution of these tickets—just as they have the politics of the distribution of fishing licences in this province.

In mom-and-pop operations, if you are a Tory you get the licence to sell; if you are not, too bad. If a defeated candidate will let you sell these tickets, you are all right; and if he won't, you don't get the right to sell them. What you have is a storekeeper on this corner selling them because he's a Tory, and the storekeeper on the other corner not selling them because he's not a Tory. That's exactly what you want to do.

Interjections by hon. members.

Mr. Roy: That doesn't happen in your ridings?

Hon. Mr. Grossman: That's what we have to look forward to if you fellows get into power, eh?

Mr. R. S. Smith: That's exactly what you do in the area of fishing licences.

Mr. Chairman: Order please. I would draw to the hon. member's attention that it is now 10:30 of the clock.

Mr. Breithaupt: Do you want your parents to sell these tickets?

Hon. Mr. Grossman: I wish they could.

Hon. Mr. Welch moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. R. Welch (Minister of Culture and Recreation): Mr. Speaker, before moving the adjournment of the House, I have been asked by the House leader to indicate that when we reconvene on Thursday we will continue the consideration of the lottery corporation bill in committee, followed by Bill 182 and Bill 111.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 174



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Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, FEBRUARY 6, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, I would like to take this opportunity to introduce to the members of this august chamber a number of bright young students from Ledbury Park Junior High School in the sovereign riding of Armourdale, which I don't represent now, although I do hope to represent them in the near future—but the member is absent today. They are here under the tutelage and able leadership of Miss Sandy Winter and Mr. Lloyd Howes. They are here to see the proceedings of the House and to learn all about how the legislative assembly works. We are very happy to welcome them here, and I hope that the members of the chamber will express their welcome to these young people from Armourdale riding.

Mr. W. Hodgson (York North): Mr. Speaker, today I have the pleasure of introducing to you and members of the Legislature, a very distinguished group of students whom we have visiting us today. Last September, a group of our young people from the region of York went over to Germany from September to December on an exchange student basis. Today we have the pleasure of welcoming 51 students from Germany who are in the region of York for the next two to three months on an exchange basis. They are accompanied by 50 more students, who are the host students from the region of York to this distinguished group of young people, and also by members of the administration staff, teachers, and Mrs. Elliott, who is head of the parent group that is looking after this group of students whom we welcome here today in our Legislature and to the Province of Ontario. Thank you very much.

Mr. Speaker: Statements by the ministry.

TELECOMMUNICATIONS SERVICE TO FORT SEVERN

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I should like to inform the House—and perhaps especially the member for Thunder Bay (Mr. Stokes)—of an event which should give us all a sense of pride. Within the last few days the most remote outpost of Ontario, the community of Fort Severn, has become linked to the outside world with reliable long-distance telephone service.

Fort Severn has a population of about 250 people, most of whom are members of the Cree Indian nation. It is located on the coast of Hudson Bay, just 80 miles from the Manitoba border. Until now, regular communications have been extremely difficult and unreliable. Co-operative action by Bell Canada and the government of Ontario changed this situation.

Bell Canada has installed a Telesat Anik satellite receiving station in Fort Severn so that the company's 25 telephone customers can connect with the outside world by full-time, reliable satellite communications. Electrical power for the communications service is being provided by the Ministry of Transportation and Communications through the Ontario Northland Transportation Commission.

The service via satellite in Fort Severn joins a similar service provided a year ago by the ministry and Ontario Northland at the Hudson Bay coastal community of Winisk, and by Bell Canada at the community of Big Trout Lake. During the next three years, we plan to connect all of the 28 communities in remote northern Ontario to the outside world as part of a joint ministry, ONTC, and Bell Canada programme.

The members will also recall that the Ministry of Transportation and Communications has a programme to build airstrips at many of these remote communities. An airstrip was built at Fort Severn during the last two summers and is maintained by a local resident employed by the ministry.

One of the first calls made to Fort Severn via satellite was to the airstrip office. When we suggested, "It is good to be able to telephone to Fort Severn," the immediate response was: "Yes, and after all these years."

Mr. Speaker, I bring this to the attention of the House to remind all of us that there is still a great need to provide even the most

basic of reliable communications to a great many Ontario communities. May I stress that not all of these communities are as remote as Fort Severn, Winisk or Big Trout Lake. Many are in parts of Ontario we frequently consider to be "developed."

Mr. F. Laughren (Nickel Belt): How about Shining Tree?

JAMES BAY COAL DEPOSITS

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, with the current worldwide shortage of energy resources, it has become essential that Ontario make a thorough assessment of all its own sources of supply.

Ontario depends on hydrocarbon fuels for a large part of its energy supply and imports large quantities of coal from the United States for this purpose and for its metallurgical industries. In view of the world supply situation, further dependence on foreign supplies should be held to the lowest practical minimum by the use of these domestic sources.

There are valuable deposits of coal in Alberta and Nova Scotia which warrant consideration. Within Ontario, at Onakawana in the James Bay lowlands, there is an extensive lignite or brown coal deposit, which is now being studied by the government as a possible source of thermal electrical power.

Mr. R. F. Nixon (Leader of the Opposition): They made a study of that last year and the year before.

Mr. V. M. Singer (Downsview): George Wardrope used to study that from time to time.

Hon. Mr. Bernier: There is a reasonable probability that other equally large deposits exist in the cretaceous sediments to the west of Onakawana. However, knowledge of the cretaceous basin is limited because of the heavy overburden of the glacial debris and swamp. There are only a few widely scattered exposures of bedrock along the river channels. This limited knowledge militates against the selection of target areas for exploration which might reduce the cost to a reasonable level. Thus, little work has been done, or is now being done, in the basin.

However, a comprehensive geological study is essential if the potential of the basin, and areas for more detailed investigation, are to be assessed. Because of the scarcity of rock exposures, conventional surface mapping would be of little or no value. To be useful, any study would require test drilling at widely spaced intervals, supplemented by seismic and other geological surveys.

The Ministry of Natural Resources will carry out a preliminary survey of this nature during February and March of this year. It is hoped that some important geological data will be obtained by this survey. In addition, the effect of the limited study on the environment will be closely studied in order to determine what, if any, hazard to the environment might result from further or more extensive exploration of the same nature. Local residents, including the native people of Treaty 9, have been advised of this programme.

The NORT committee has arranged for the rehabilitation of 30 miles of existing winter road from Smokey Falls north to Hambly township and the construction of a new winter road from Hambly township toward Jaab Lake for a total distance of about 75 miles.

It is planned to drill 10 vertical test holes at eight-mile intervals along the access road. In all, about 5,000 ft of drilling will be carried out. Chip drilling has been selected as the most reliable and economical method of recovering samples of the unconsolidated cretaceous formations. Materials of possible economic importance would be peat, silica, lignite and fireclay.

A seismic survey is planned to establish the depth and the character of the sedimentary basin and an electrical resistivity survey will help in establishing continuity of any beds of lignite. Ground survey control will be provided for location of the drill holes and for geophysical survey stations.

Field observations and a preliminary report will be followed by laboratory studies and a final report will be released later this year.

Mr. Speaker: Oral questions.

The Leader of the Opposition.

ATHABASCA TAR SANDS

Mr. R. F. Nixon: I would like to ask the Premier if he can explain to the House a situation involving our commitment to the Syncrude corporation: Are we in it for five per cent of the total cost or are we in it for $100 million?

Mr. S. Lewis (Scarborough West): And what is it?

Hon. W. G. Davis (Premier): Mr. Speaker, we, the shareholders of the Province of Ontario, have five per cent of the equity of Syncrude. The estimated total cost, with some

allowance for contingencies, is around $2 billion; but we are equity participants.

Mr. R. F. Nixon: A supplementary: Can the Premier assure us this is not going to be something like the Bricklin, in which his colleague in New Brunswick is involved, where the total cost tends to escalate the closer you get to the conclusion of the project? How carefully did his experts examine the commitment so that we are not into some sort of an open-ended rat-hole down which the $100 million would go as just the beginning?

Mr. Lewis: Oh, oh; the Liberal Party has changed again in 24 hours; a remarkable change.

Mr. J. E. Bullbrook (Sarnia): Not at all.

Hon. Mr. Davis: Mr. Speaker, the companies and the government of Alberta prepared certain documentation. As was stated to the House here, this was available to us. I was asked whether this would be tabled and I said this would be done if it were tabled in Alberta; it's their documentation.

This material was assessed. I can only say to the hon. member I don't know anything about a rat-hole, but I will leave that for him to determine.

Mr. Lewis: Last week they liked it.

Hon. Mr. Davis: Yes.

Mr. Lewis: They applauded it. They were congratulating the Premier.

An hon. member: The member for Scarborough West should, too.

Hon. Mr. Davis: I can only say to the hon. member, as I stated here when I made the announcement, that we are going on the best information, the best estimates available. We are doing this along with the government of Canada, which is in the same equity position except for a larger percentage, as well as the Province of Alberta which is also in for a larger percentage. While I can't personally guarantee the Leader of the Opposition that it will be exactly $2 billion, I do say to him that in our judgement we have invested in something that is important, both in the interest of the people in this province and in the national interest.

Mr. R. S. Smith (Nipissing): That's not the question.

Mr. R. F. Nixon: A supplementary, since there hasn't been another asked just at this moment: Would the Premier not agree, however, that one of the dangers in this—and quite removed from what he has said the justification is, which in fact is a very impressive justification—is that he, as the principal negotiator for this province, has committed us and future governments to paying five per cent of whatever the cost would be? Was there at least no attempt to negotiate some sort of a terminal responsibility or some limit beyond which our treasury would not be called upon to pay?

Mr. M. Cassidy (Ottawa Centre): Donald Macdonald committed all of Canada—with our money.

Interjection by an hon. member.

Hon. Mr. Davis: Yes, Mr. Speaker, there were discussions. I think every government—the government of Canada and the government of Alberta, along with ourselves—would like to be totally sure that the total cost will be $2 billion and that the investment in equity didn't carry with it the responsibility of being an equity participant. I'm quite prepared to acknowledge that there are some possible hazards, I guess, in these terms.

I can only say to the Leader of the Opposition there have been very few projects of national significance in any jurisdiction where one could have guaranteed in advance the total outcome. I would go back to the days when this country was put together; and if the same people then had had the attitude of the Leader of the Opposition of this province, Confederation probably would have never been accomplished.

Mr. A. J. Roy (Ottawa East): Why doesn't the Premier just answer the question?

Mr. P. J. Yakabuski (Renfrew South): There's a big schism over there.

Hon. Mr. Davis: Mr. Speaker, I doubt very much that the people responsible for the building of the railways in this country were able at the time of the concept, at the time decisions were made, to give a totally accurate estimate as to the cost. I hate to think what might have emerged if some decisions of that kind had not been made at that particular time in our history.

Mr. R. F. Nixon: Why is the Premier so defensive about it?

Hon. Mr. Davis: I am saying very simply here that we are relatively satisfied that the estimates are as accurate as they can be. We have an equity participation in something

we think is without question in the national interest and will be, of course, of benefit to the people of this province. It's the kind of thing that government should do in this day and age, particularly in a country like ours.

Mr. Speaker: A further supplementary question?

Mr. R. F. Nixon: Yes, Mr. Speaker, I appreciate your allowing a further supplementary from me. Would the Premier not agree that there is nothing narrow-minded nor irresponsible in simply asking about the facts in a deal which commits the taxpayers to $100 billion? I hope to God the Premier asked about some of those facts—and did he?

Hon. Mr. Davis: Mr. Speaker, I have answered the Leader of the Opposition with the facts as we know them at this time.

Interjections by hon. members.

Mr. Yakabuski: Where's the $300 million coming from?

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: A supplementary question of the Premier, Mr. Speaker: Since he felt relatively certain about the facts as he garnered them from the last conference he went to, only to find he was wrong on almost every count—

Mr. I. Deans (Wentworth): Who advises him?

Mr. Lewis: —can he tell us how, on the basis of 24 hours—because that's all he had, as I understand it, when the Lougheed report was secretly given to Donald S. Macdonald and himself—they satisfied themselves on $2 billion; on a commitment, without having it in writing, of machinery from Ontario equivalent to $250 million; on a price which wouldn't extort money from the Ontario consumer; and on a total level at the end which would secure us at roughly a $100 million equity investment rather than is what more likely to be a $150 million equity investment?

Mr. P. Taylor (Carleton East): Answer that!

Hon. Mr. Davis: Mr. Speaker, I can only say to the member for Scarborough West that he underestimates—and that's a great mistake to make—the capacity of this government—

Mr. E. W. Martel (Sudbury East): To make mistakes?

Hon. Mr. Davis: —to make decisions, when they are in the national interest and the provincial interest, in time to meet a particular situation.

Mr. Deans: Something like the conference in Ottawa.

Hon. Mr. Davis: I might also say to the hon. member that I had asked the people involved to start their assessments as of Jan. 1. I might point out that the Treasurer and Minister of Economics and Intergovernmental Affairs (Mr. McKeough) and the Minister of Energy (Mr. Timbrell) were in the Province of Alberta about a week prior to the Monday meeting for discussions and so on. I can only assure the hon. member that to the extent that it is possible in any of these situations, the situation was assessed with great care.

Mr. E. Sargent (Grey-Bruce): A supplementary, Mr. Speaker: Did the Premier and his advisers approach this meeting with any stipulations for leverage on behalf of the Ontario taxpayer in view of the fact that Quebec is not going in? Do we have any special leverage on rates for the price of oil here?

Hon. Mr. Davis: No, Mr. Speaker, we don't have special leverage as it relates to rates. What we do have is an equity participation. I'm not going to comment on why other provinces have or have not involved themselves. This province, I would say to the hon. member with some sense of satisfaction, has always endeavoured to co-operate, to involve itself in things that have meaning for Confederation in Canada, and I think this demonstrates that very conclusively.

Mr. Speaker: Any further questions from the Leader of the Opposition?

Mr. Sargent: Then the Premier didn't drive a hard bargain for our five per cent?

Mr. J. F. Foulds (Port Arthur): What is good for Imperial Oil is good for Confederation.

Mr. Lewis: A great commitment to Exxon, that's his commitment.

Mr. Speaker: The Leader of the Opposition.

MINING TAX REVENUE

Mr. R. F. Nixon: Yes, I would like to ask a question of the Minister of Revenue. Can he give the House the most recent projections

as to the revenue which will accrue to our consolidated revenue fund from the new mining tax which has been in effect now for many months, which we expect will be debated some time this week or next week?

Hon. A. K. Meen (Minister of Revenue): I don't have it at my fingertips, Mr. Speaker, but I think that I could get a rough estimate of what we would expect to recover from that for the hon. member.

Interjection by an hon. member.

Mr. R. F. Nixon: Could the minister give us a rough estimate now and give us a more refined estimate when he looks at the figures?

Hon. Mr. Meen: No, Mr. Speaker, I simply do not have it at my fingertips.

Mr. Singer: By way of supplementary, is it a fact that it is considerably more than the projection that was given when the budget announcement was made?

Hon. Mr. Meen: I do not know.

Mr. Speaker: The Leader of the Opposition—further questions?

ASBESTOS PROBLEM AT CANADIAN JOHNS-MANVILLE PLANT

Mr. R. F. Nixon: I would like to ask the Minister of Health if he would refer to the very serious charges made by the leader of the NDP in a committee meeting last night and also respond to the concerns expressed by the mayor of Scarborough that the asbestos pollution in the air around the Johns-Manville plant is affecting the community, and particularly the students at the Oliver Mowat school, a matter of a very substantial concern locally and across the province?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I believe tests in the air and around the school have been done by other ministries, not by mine. The inspection of the plant has been done by my ministry. Somebody tells me that some experiments have been done by OISE; I have not heard anything about those except through the media. The Minister of the Environment (Mr. W. Newman) might be aware of some tests done by his ministry in that area, at the school. I am told some were done in 1972 and that's the only record I have of any.

Mr. R. F. Nixon: Supplementary: Since the minister was quoted as giving very substantial assurances to those people concerned in the plant, would he be prepared to coordinate, let's say, the information among the other ministries and give a report in response to the matter that was raised?

Hon. Mr. Miller: Mr. Speaker, first of all, I qualified some of the statements I made yesterday. I don't feel all of my qualifications appeared in the press. I am not trying to understate the concerns I have, or the other ministries have, for the conditions in the plant. The data I got on in-plant tests showed they were considerably better, as I mentioned, than the leader of the NDP had said. I can tell the member specifically how many tests on a given day exceeded the threshold level values at this point in time.

Blue asbestos is the one that I believe causes the mesothelioma.

Mr. Lewis: They claim that.

An hon. member: All asbestos is known to.

Hon. Mr. Miller: Yes.

Mr. Lewis: All asbestos causes it—this is another device.

Hon. Mr. Miller: All right, I am not prepared to argue that either because I do not know. I only know what I am told, and I was told mesothelioma is caused by blue asbestos. I am concerned, the other two ministers are concerned, and I am doing my best to channel the three of us together.

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: And may we expect a report from the minister or one of his colleagues? He said yes, did he not?

NIPISSING SEPARATE SCHOOL BOARD

Mr. R. F. Nixon: Mr. Speaker, I have a question of the Attorney General. Can he report to the House as to what action has been taken in regard to his ministry's application to the Supreme Court re the appointment of an Indian representative in the Nipissing district situation? Is he aware that the schools concerned are closed today and the children are not in attendance?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): I was not aware, Mr. Speaker, that the schools were closed today. I was advised on Tuesday that the notice of motion on the commencement of the application to the Supreme Court was filed yesterday, or was to be filed today, and that is the most recent information I have in connection with it.

Mr. R. F. Nixon: Supplementary: In his experience as being learned in the law, could he tell us what sort of a time element we would be facing with the way the procedure is going, since it doesn't seem to be a matter of great urgency?

Hon. Mr. Clement: It is a matter of great urgency. My opinion would be quite conjectural at this point because the notice of motion would be supported by an affidavit; and if the other side declined to cross-examine on that affidavit, then the process would be expedited. On the other hand, if the other side decided to cross-examine on that affidavit, then it's only conjecture as to when the appointment might be obtained in order to cross-examine. Ordinarily these matters, on this type of application, would take as much as two months before they would be heard before the appropriate judge.

Mr. R. F. Nixon: Supplementary; since the matter may very well be interfering with the continuing education in the community, would the minister not consider recommending to his colleagues that the statute be amended so that, instead of setting this arbitrary limit of 100 students it would require Indian representation on any board which governed the education of young people coming from an Indian band?

Hon. Mr. Clement: Mr. Speaker, I believe the member's colleague from Nipissing made such a suggestion here some days ago.

Mr. R. F. Nixon: He introduced the bill. It could be enacted today.

Hon. Mr. Clement: As we see it, the difficulty is, if we said that if there is any child of Indian parentage in attendance at a school—

Mr. R. F. Nixon: No, no, with an Indian band in the jurisdiction.

Hon. Mr. Clement: —with an Indian band in the jurisdiction, the problem as I understand it, is that there might be a very small number of children attending that school, many of whom may live in the city and off the reserve. Then the criticism seems to be that there would be double representation for those particular children, in that their ward representative—

Mr. Fould: It is about time they got representation in this province.

Hon. Mr. Clement: —would be there as well as their Indian representative. So I don't think it would be appropriate at this time to change the legislation until the court makes a determination of it.

Mr. R. S. Smith: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Nipissing.

Mr. R. S. Smith: To the Attorney General: Would the Attorney General not agree that the Act reads that if the band enters into an agreement with the board, then it has the right to make an appointment; that it has nothing to do with where children live outside the area that is covered by the band itself; and that the question of whether they live in another municipality would not affect the question of the appointment if, in fact, the Indian students did not come from the area covered by the band?

Hon. Mr. Clement: Mr. Speaker, I make no comment on the observation offered by the member for Nipissing. There may be alternatives, that's quite correct. The principle put forward by the member's leader and suggested is, should we not amend the legislation today, or within this session, in order to compel the placement of a member on that board. I take the position at this particular time that I don't think that would resolve the matter. It is now going before the courts; I think that is the proper course.

The Minister of Education (Mr. Wells) has brought forward the information to us, and as I understand the solution, there seems to be a difference as to the count, as to the numbers of children attending that school. That's the gist of it. The information that the Minister of Education has, is that there are 103 children. It's a mandatory obligation on the board, once there are 100 or more children. The nominee has approached the board and asked to be seated. The board, for its own reasons, has refused to seat that person, and therefore I think it is up to the courts to make the determination.

Mr. Speaker: The Leader of the Opposition.

Mr. Roy: Mr. Speaker, may I ask a supplementary?

Mr. Speaker: This will be the final supplementary on this.

Mr. Roy: To an answer given to my leader about that, what is the returnable date on the motion? That was not mentioned. The minister said the motion might be deposed before the Supreme Court tomorrow, and he mentioned the fact that there might be cross-

examination on the affidavits. But could he tell us what the returnable date is on the motion—when the motion is to be heard—and is there any demand in the motion for an interim injunction pending the cross-examinations on the affidavits, seeing that this evidence is so overwhelming?

Hon. Mr. Clement: Mr. Speaker, I am unable at this moment to tell the member the return date on the motion. I can make a phone call and find out before the question period ends this afternoon. I have not personally seen the pleadings so I don't know what the return date on the motion is. I would imagine it is probably five or seven days. It will have to be adjourned if notice to cross-examine is served on us.

Mr. Speaker: Does the Leader of the Opposition have further questions? The member for Scarborough West.

ASBESTOS PROBLEM AT CANADIAN JOHNS-MANVILLE PLANT

Mr. Lewis: Yes, Mr. Speaker. I would like to confine myself exclusively to questions relating to asbestos. My first is to the Minister of Health. How can he possibly say and, even more extraordinarily, how can Dr. Tidey possibly say that the Ministry of Health has found things to be safe in Johns-Manville when he has a report, dated June 20, 1974, from C. S. Rajhans, an engineer with the occupational health branch, which enumerates area after area in the plant with the following illustrative comments, and I will use one or two as descriptions:

> In my last report dated April 5, 1973, it was shown that the local exhausts at this drill were improperly designed and hence were considered to be inadequate. A direction to improve the exhausts was suggested. No changes were found during this visit. A comment was made in my previous report that the face velocities have gone down considerably and also that the counts are high. The company apparently paid no attention to my comment—

And so it goes for location after location through the plant from within the minister's own ministry. How, then, can it be said that the levels are safe?

Hon. Mr. Miller: Mr. Speaker, I have reports from the same engineer in my hand right now. I asked for them to be brought to me. I got them after the question period began today. Therefore, I can't say I can quote them verbatim or with great depth.

I can only tell the member that mine are dated considerably after his, Jan. 17, 1975, and that I have data on each of the locations within the plant where he has been doing testing procedures. In the final remark, apart from all the technical data, the most important word is what has changed since the last time he was there.

There are words like "a considerable increase," that is, in flow of air. Basically, if the member recalls, most of his recommendations on an individual basis dealt with the improvement of mechanical ventilation at specific locations without the factory and/or means of cleaning up the dusts that accumulate in the factory during the course of a day.

I can go through the various points but at least in this report a number of the areas are showing considerable improvement, a few are marked as "no change," and one, I see, is not as good as it was before. Following that, he gave nine specific recommendations to the factory which we, in turn, I understand, have given to the Ministry of Labour, and which I assume are being dealt with at this point in time by that ministry to see that they are being enforced.

I have to say that we are working much more closely with Labour at this point to see that recommendations made by our ministry are acted upon. At the same time, the data I have shows that in June, six locations out of 22 were above the threshold levels that we felt were acceptable. In an earlier report four out of 21 were above the threshold level.

I have told the member I am not minimizing the problem. I am not. My job is not to protect Johns-Manville in any way at all.

Mr. Lewis: That is what is happening.

Hon. Mr. Miller: I am there to protect both the men working in that plant and the people who live near that plant. As Minister of Health, I intend to do just that.

Mr. Lewis: I believe the minister. It is what he is not realizing, perhaps, because one always misses the contents of these reports. By way of supplementary, in the same document the minister just read from, Mr. Rajhans says about the previous survey, and I am quoting: "Thus only five counts are truly considered to be safe." That is out of 22. In the December survey, on the same basis that he uses, only eight counts are considered to be truly safe out of 35. How can the minister be so blessed sanguine about a plant which year after year continues to violate

the threshold limit value which his ministry has set? Why does he treat them with velvet gloves?

Hon. Mr. Miller: First of all, Mr. Speaker, I haven't seen those words that the member refers to but I will be glad to look. There is an argument as to—

Mr. Lewis: Well, they are right here. We should show the minister the reports.

Hon. Mr. Miller: What is the member calling the threshold level that he referred to?

Mr. Lewis: I am calling the threshold level the level that the ministry recommends, which is one fibre per cubic centimetre. Never mind for a moment. If one takes it on the basis of two fibres per cubic centimetre, more than 50 per cent of the plant in each case was stilll unsafe. No matter how one looks at it, it is an unsafe work place—and nothing happened.

Mr. Speaker: Order, please. This is developing into a debate. Is this a question for information—

Mr. Lewis: You're right, it is. And I'm not going to be cut off by you on this one.

Mr. Speaker: Order, please.

Mr. Cassidy: Answer the question.

Mr. Lewis: Answer the question.

Mr. H. C. Parrott (Oxford): Always a speech.

Mr. Speaker: Actually, this is a question period to elicit information from the minister. It's not meant to be a debating session. That procedure has been well established in this House for several years, and that is all I was pointing out to the hon. member. Does the hon. minister have an answer?

Mr. J. E. Stokes (Thunder Bay): That is precisely what he was doing.

Mr. E. J. Bounsall (Windsor West): Supplementary.

Mr. Speaker: The hon. member for Windsor West with a supplementary.

Mr. Bounsall: What information does the minister have, if any, on equivalent lung-problem health hazards from fibreglass particles manufactured in plants similar to Johns-Manville?

Hon. Mr. Miller: Do you deem that a supplementary, Mr. Speaker?

Mr. Speaker: I'm sorry, I didn't get the content of the question.

Hon. Mr. Miller: It was on a different material altogether.

Mr. Bounsall: This is plants similar to those of Johns-Manville, making the same type of product and insulation materials—the same kind of product.

Mr. Speaker: The hon. member can, in his turn, ask it as a new question.

Mr. M. Shulman (High Park): Supplementary, Mr. Speaker: Is there a filter system on the exhaust going out of the plant, or is that asbestos-laden air just being pumped into the neighbourhood?

Hon. Mr. Miller: I can't answer that question, Mr. Speaker. I assume there are some types of cyclone separators, I don't know.

Mr. Speaker: The hon. member for Scarborough West, further questions?

Mr. Lewis: I have a further question of the Minister of Health. Does he recall explaining to me some little time ago why it was necessary to have much tougher standards outside the plant than inside the plant, because it was a more general population outside, susceptible to contamination over a longer period of time? Am I right in that recollection?

Hon. Mr. Miller: He may be.

Mr. Lewis: Okay. May I ask of the Minister of the Environment what standards has he for the emission of asbestos fibres into the air from a plant like Johns-Manville?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, back in 1970 or 1972, the guidelines for asbestos at the point of impingement—that was the indicator we had on the school—were 50 micrograms per cubic metre of air. At that particular point in time, when we were doing the testing, all tests indicated that we were within those guidelines.

I think it was last June in this House that I brought in new guidelines regarding impingement of asbestos and other materials, and we reduced the impingement point for asbestos to five micrograms per cubic metre of air over a half-hour period.

As a result of our new standards that we brought in, we went to Johns-Manville in this particular case. We did work out a programme with them to fix their bag houses, to improve them, to get outside maintenance so that they were looked after on a regular basis.

As a matter of fact, they contracted out this work.

They are recycling some of their bag house filtration now; and, of course, they are co-operating with us on the monitoring we are now doing in the area. We have a contract with the Ontario Research Foundation to do some further testing, I believe, in April of this year.

So, at this point in time, we have taken samples with these improvements done; but we do not have the final analysis at this point in time. We expect to have it shortly.

Mr. Lewis: The minister will concede, I take it, that in the case of vinyl chloride or lead, or any of the other dangerous contaminants, the levels that are set outside a plant are much more stringent than the levels that are set inside? He has already acknowledged that through his own announcements. Does the minister recognize that the levels recommended outside the plant are one one-hundredth of a fibre per cubic centimetre? In this 1972 Ontario Research Foundation study which I have, every single reading was above that. This means the kids at Sir Oliver Mowat are in danger. I dare say every reading he now has is above it. Would he table those readings?

Hon. W. Newman: Does the member mean the new readings that we have? That's what I said—that in the next few days we will have the necessary information—and if the House isn't in session, I will be glad to release them.

Since we've been back in with the company, they've done considerable work in the bag house and the filtration setup there. The guidelines that were used in 1972, I assume, were set up by the appropriate medical people—of 50 micrograms per cubic metre of air.

Mr. Lewis: The minister is just playing games with us.

Hon. W. Newman: The ones I brought in last June—if the member would just listen—are reduced to five micrograms per cubic metre of air—

Mr. Lewis: Over five.

Hon. W. Newman: —over a half-hour period.

Mr. Speaker: Any further questions?

Mr. Lewis: One last question of the Minister of Labour: Why were no charges laid under the Industrial Safety Act when the minister was informed on a regular basis that Johns-Manville was not, in fact, complying with the inspector's directions as set out?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, the business of measuring these things is a pretty difficult task. The count is so low that very many things can upset it. I am just passing on some information that I got at noon today; that is one reason I was a little late in the House, I was having a crash course on this matter. I understand that the count can be upset by somebody shuffling his feet, by somebody shaking out his clothes, or doing a number of things. It is a very finite thing they are dealing with.

We are keeping a very aggressive eye on Johns-Manville; we know the risks, and we will continue to keep that aggressive eye. But as far as laying charges on the evidence that we had and on the counts taken, there was not sufficient supportive evidence to be successful in any charges. At the same time, this could have been a very temporary situation—a matter of hours or a matter of five or 10 minutes.

As for these levels—and I want to keep clear of getting into the health problems—I understand that these are conditions that one must be exposed to for a great number of years before they are a health danger.

Mr. Lewis: That is not so.

Hon. Mr. MacBeth: So if this condition existed for a half an hour, or even for a day, the kind of counts that our survey showed would not in themselves be a health risk. Over a period of time they would be.

Mr. Shulman: Not a risk? That's not so.

Mr. Lewis: There is collaboration here with the company.

Hon. Mr. MacBeth: I should not be getting into the health field and I have got into it.

Mr. Shulman: He sure shouldn't.

Hon. Mr. MacBeth: I will stop my answer at this point, Mr. Speaker.

Mr. Lewis: I have one last question of the minister. Does the minister, in his health expertise, realize that once an asbestos fibre has entered the lung it is indestructible and it is never emitted? Was the minister given that information at noon?

Does the minister also recognize that there is nothing temporary about the pattern of Workmen's Compensation Board claims and lung-cancer death statistics which are presented to him? Why isn't he taking this com-

pany on frontally? Why is the minister playing such games with this?

Hon. Mr. MacBeth: Mr. Speaker, we are not playing games. We are in dead earnest, we are serious and we are going to keep after it. But at the same time, regarding the health conditions that we are discovering today, it is my understanding that they were caused some years ago.

Mr. Lewis: It is not so.

Hon. Mr. MacBeth: After that point we have stringently tightened the regulations—

Mr. Lewis: How is the minister going to explain it 20 years from now?

Hon. Mr. MacBeth: Of course, we will not know for a number of years whether the regulations that are there today are effective or not, and that is the regrettable part.

Mr. Lewis: They are useless as they are today.

Hon. Mr. MacBeth: But all the best knowledge that we have would indicate that the regulations that are there today, and which we are trying to make sure are adhered to, are ample to protect the health of the workers. Now it doesn't stop at that. This is under constant review.

Mr. Speaker: May I just break in here? There have been over 30 minutes taken up with the questions of the two leadoff questioners, and I think it is time we moved on to the member for Downsview.

LEGAL AID PLAN

Mr. Singer: Mr. Speaker, I have a question of the Attorney General. Could the Attorney General tell us how long he and/or his predecessor have had in their possession the report of Mr. Justice Osler dealing with the legal aid system in the province, and why it has not, as yet, been tabled?

Hon. Mr. Clement: Yes, I would be glad to, Mr. Speaker. We haven't had it in our possession yet. It is at the printers, I am instructed, and we are anticipating receipt of it about the middle or end of next week.

Mr. Singer: Mr. Speaker, by way of supplementary, even though the minister hasn't had a printed copy, has he or his predecessor seen an advance copy? And is it true, as I understand it to be, that it is highly critical of the present system?

Hon. Mr. Clement: Mr. Speaker, I cannot speak for my precedessor, but, no, I have not seen an advance copy of that particular report. Its existence is well known and there is no reason why it shouldn't be known. As a matter of fact, I had a meeting with representatives of the legal aid group last week in connection with it and they, in turn, were anticipating what might be in it. But I have not seen a copy at all.

Mr. Singer: By way of supplementary—

Mr. Speaker: This is the final supplementary.

Mr. Singer: —did the minister's predecessor mention whether or not he had seen it, or has the minister discussed it with him?

Hon. Mr. Clement: No, but I can ask him.

Mr. Singer: Talk to him now.

Hon. Mr. Clement: No, he tells me he hasn't seen it.

Mr. Speaker: The member for Sudbury East.

CLOSING OF BURWASH CORRECTIONAL CENTRE

Mr. Martel: I have a question of the Minister of Government Services. Was his ministry involved until recently with the federal government, Mr. Almand in particular, in negotiations to sell Burwash to the federal government for a federal minimum security prison at Burwash?

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, I personally did not enter into any negotiations with the federal government and I don't believe there was anything which took place that one would call negotiations. I believe there may have been some notification to the federal government regarding the facility being available.

Mr. Martel: I have a supplementary question.

Mr. Speaker: One supplementary.

Mr. Martel: Did the ministry put out an asking price for that institution and, if so, would the minister indicate to the House what that asking price was?

Hon. Mr. Snow: No, Mr. Speaker, there has been no asking price established and I'm sure there has been no price given to anyone, nor have we been asked for one.

Mr. Speaker: I believe the Minister of Industry and Tourism has the answer to a question.

LAYOFFS AT INGLIS

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, I have the answer to a question from the member for Riverdale which he asked in the House last week relating to layoffs by John Inglis Ltd.

First of all, I would like to correct his statement when he said that Whirlpool Corp. of the United States controlled John Inglis Ltd. of Canada. John Inglis Ltd. is a Canadian company. The majority of the directors of the company are Canadian and the company is run by Canadians. Whirlpool Corp. is a shareholder of John Inglis but not the majority shareholder.

Mr. J. A. Renwick (Riverdale): It controls it with the others it owns.

Hon. Mr. Bennett: The company does plan a layoff of two weeks duration at its Toronto and Stoney Creek plants. The reason is the net result of a major turndown in business, coupled with the residual effect of 4½-month strike which John Inglis experienced between April and August, 1974, at the Toronto plant.

When the strike dragged on during the summer, the company found it had to protect its long-term market position. The Canadian principals made a decision to bring in one Inglis model from their American associate firm. This had been done on the basis of a firm commitment since some modifications of the product had to be made by the American company. With the end of the strike, the company was faced with honouring the commitment it had entered into, and it continued to import the models until it had completed the contract arrangements.

With the turndown of the economy and subsequent reduction in production, the inventory problem has not been eliminated as quickly as anticipated. It is for this reason that the decision was made to close completely both operations for the announced period of time. There had been extensive discussions between the union and management regarding their problem and the anticipated time necessary to correct the situation. Based on the current sales level, the company has stated that it is probably committed for all of the finished products and it will be for some time. I have spoken with the president of John Inglis and he feels that he will be able to maintain successfully the complete employment once the company is back in production.

My ministry has reviewed the situation with the company, Mr. Speaker, and indicated that its experience has been very favourable over the last number of years. The new president in the past five years has turned the company around from a troubled corporation to a very productive one for Canada. I might add that the new president has indicated to my ministry that they intend to maintain full employment at their plant once they are back in production. May I indicate that in the last five years John Inglis has added to the employment of the company 200 additional employees from the Province of Ontario. I believe that we'll see full production and employment before many weeks.

Mr. Speaker: The member for Grey-Bruce.

OWEN SOUND HOSPITAL

Mr. Sargent: Mr. Speaker, I have a question of the Premier. In view of the fact that the corridors of our hospital in Owen Sound are still full of beds—

Mr. R. F. Nixon: This is the member's last chance.

Mr. Sargent: —and that the temporary solution that he is providing will only be a waste of money, I challenge the Premier, at least to have the courage to write my people and tell them that they're second-class citizens.

Mr. Speaker: Was there a question, please?

Mr. Sargent: I'm getting to it.

An hon. member: Will he accept that challenge?

Mr. Sargent: Write them and tell them that they do not rate the same treatment as they do in Brantford or the rest of Ontario—Brampton, I'm sorry.

Mr. R. F. Nixon: Brampton, yes. We are first-class but we don't get that treatment.

Mr. Sargent: Or Brantford too. In view of the fact that 170 urgent cases of surgery are waiting and 370 back cases awaiting elective surgery—all these are on the waiting lists—how can he, as a chief executive of this province, not give us the needs for our people that they have in other parts of Ontario?

Hon. Mr. Davis: Mr. Speaker, I think that question should be more properly directed to the Minister of Health who is totally familiar with the situation. I'm sure he would be delighted to give an answer.

Mr. Sargent: I am asking the Premier.

Mr. Speaker: The hon. member for High Park.

Mr. Sargent: Mr. Speaker, this is very important to us here.

Mr. Shulman: I have a question of the Premier, Mr. Speaker.

Mr. Speaker: You placed the question.

Mr. Sargent: Will he do that?

Mr. Speaker: Order please, the hon. member for High Park.

MONEY FOR HORSE-BREEDING

Mr. Shulman: Mr. Speaker, I wonder if the Premier would care to comment on the letter sent out on the letterhead of the Canadian Thoroughbred Horse Society, which says that the money that has been voted by this Legislature to improve the breed is being wasted, and which refers to his government as "irresponsible and lacking in good judgement."

Hon. Mr. Davis: Mr. Speaker, I'm not totally familiar with the problems being suggested at present by that particular organization. Unlike some perhaps, I'm not totally conversant with the thoroughbred industry, it's breeding practices, an so on. I must confess I was once the owner of a thoroughbred —for about 48 hours. I was very kindly given a thoroughbred horse. It was sold at auction very shortly thereafter with the proceeds going to the University of Guelph for certain research.

Mr. Deans: The Premier should have taken up—

Hon. Mr. Davis: That was the extent of my involvement with the thoroughbred industry. I expect I even may be going to meet the writer of that letter. I don't know who wrote that letter. Of course, I never know who writes letters these days.

Mr. Singer: Or gets them.

Hon. Mr. Davis: But I was delighted to see the member for Sudbury East had been into his files again and found some more.

Mr. Martel: That's an admission on the Premier's part.

Hon. Mr. Davis: But I can only say to the member for High Park that if it is the president of that association, I have a feeling that I have an appointment to see him, at which time I hope to be more thoroughly briefed about the industry itself. I'm sure we will have a very constructive meeting with that particular gentleman.

He already has been in touch with the member for York North. They've had several discussions. The hon. member from that particular riding is very knowledgeable, having a number of these people as his constituents. He has brought this very forcibly to my attention in the past few days, and I expect he will also be a participant at that meeting. I regret I can't ask the member for High Park because I don't think he knows any more about horses than I do.

Mr. Shulman: I could learn.

Mr. Speaker: The hon. Minister of Revenue has an answer to a question asked previously.

MINING TAX REVENUE

Hon. Mr. Meen: Thank you, Mr. Speaker. Earlier this afternoon the hon. Leader of the Opposition asked me if I could give the House any projection of the increase in mining tax revenues to March 31. On a supplementary the hon. member for Downsview asked me if I could give him any guesstimate—or rough estimate—at this time for the benefit of the House, and I said I simply did not know.

I've been able to ascertain in the meantime, Mr. Speaker, that the actual administration of the income under this Act is under either the Ministry of Natural Resources or Treasury and Economics. I think it's under Natural Resources.

Mr. Renwick: Natural Resources, that's right

Hon. Mr. Meen: Either that ministry or the Ministry of the Treasury and Economics would have—if the figures are available, and I would think they might be—the projections to March 31.

Mr. P. D. Lawlor (Lakeshore): This minister should have them.

Hon. Mr. Meen: In my ministry I do get projections monthly on the various taxing

statutes that are under my ministry, and I would presume—

Mr. Lawlor: That is a disgrace; spread all over.

Hon. Mr. Meen: —that in a similar fashion the projections for anticipated revenues under the Mining Tax Act would also be made on a monthly basis.

Mr. Speaker: The oral question period has expired.

Mr. P. Taylor: Point of privilege.

Mr. Stokes: Point of order.

Mr. Speaker: State your point of privilege.

Mr. P. Taylor: The vast majority of this question period has been consumed by ministers running up the clock on long-winded, pointless answers.

Mr. Sargent: That's true. That's true.

Hon. Mr. Rhodes: Sit down.

Interjection by hon. members.

Mr. P. Taylor: Mr. Speaker, I would merely—

Mr. Speaker: State your point of privilege.

Mr. P. Taylor: I would merely like to ask you, sir—

Interjections by hon. members.

Mr. Speaker: Order please, if I may comment on that, I drew attention to the fact that there—

Mr. Shulman: May I rise on a point of order, sir?

Mr. Speaker: Mr. Speaker has the floor for a moment. I drew attention to the fact earlier that there seemed to be an undue length of time taken up by the two leadoff questioners, and I would suggest that the hon. member, if he has a dissatisfaction with the amount of time spent, should take it up with his leader or the respective leaders.

Mr. P. Taylor: Question of privilege, Mr. Speaker,—

Interjections by hon. members.

Mr. Speaker: I've answered that point of privilege. The hon. member for Thunder Bay.

Mr. P. Taylor: Question of privilege, Mr. Speaker.

Mr. Speaker: Order please; the member for Thunder Bay has the floor.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Sit down, sit down.

Hon. W. A. Stewart (Minister of Agriculture and Food): Take that guy to the woodshed.

Mr. P. Taylor: I had a point of privilege.

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker.

Mr. Shulman: Mr. Speaker, I have a point of privilege.

Mr. Stokes: I have a point of order.

Mr. P. Taylor: A point of privilege supersedes a point of order.

Mr. Speaker: I gave the floor to the member for Thunder Bay; the member for Thunder Bay has the floor.

Mr. Shulman: May I speak to this point of privilege?

Mr. Stokes: I have a point of order. I have a perfectly good standard railway watch.

Mr. Sargent: The member for Carleton East has the floor.

Mr. Stokes: At 2:12 o'clock the question period began. We have a 45-minute question period. That means it wouldn't expire until 2:57. We still have two minutes to go.

An hon. member: All aboard!

Mr. Roy: I have a question. I couldn't believe it—

Mr. Speaker: Order please. I do have it right down here too. I'm sorry, I slipped down five minutes; so the member for—I admit that.

Mr. Lewis: This happens every day; every day you can't count.

Mr. Speaker: I humbly apologize. I have the time here too, which coincides. Just a moment now, we've wasted about three minutes—

Mr. Stokes: I suspect we should have five more minutes, because we lost three minutes.

Mr. Speaker: Well I was going to say I could see a loss of about three minutes here. We'll go to 3 o'clock.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, that's when the little hand is on the 3 and the big hand is on the—

Mr. Speaker: All right. A question from the member for Rainy River.

PUBLIC RELATIONS STAFF

Mr. T. P. Reid (Rainy River): I have a question of the Chairman of the Management Board, Mr. Speaker, in relation to my question concerning the public relations staff of the government. I gather this was prepared under his auspices, this information in regard to public relations people in the government. Can the minister inform me, since the information he provided in regard to my question that was placed on the order paper on May 16 of last year was just tabled last week, how he can justify such a delay when there are 145 people on the staff as information officers and public relations personnel? Why would it take eight months?

Further, can he explain why the one person, the public relations officer in the Premier's office, is, according to the information, getting paid $56,000?

Interjection by an hon. member.

Mr. Reid: Why are the 11 employed by the Ministry of Agriculture and Food getting, approximately, an average of $60,000 in salary?

Interjection by an hon. member.

Mr. Reid: Well that's the minister's information, that's what he gave me.

Mr. Roy: It is embarrassing, eh?

Mr. Reid: Can the minister explain those figures?

Mr. Singer: Yes, explain them.

Hon. Mr. Winkler: I think the interpretation of the information is probably very inaccurate. I'll have to look at the question as it is placed before me and see if I can give the member some more information.

Hon. A. Grossman (Provincial Secretary for Resources Development): Take five per cent off.

Hon. Mr. Winkler: However, I will say this to the hon. gentleman: Whatever they are doing, whatever they are being paid, he can be sure they are worth it.

Interjections by hon. members.

Mr. Reid: One quick supplementary, Mr. Speaker: First of all, I would fire the guy in the Premier's office, if I were the Premier.

Mr. Speaker: Supplementary question.

Mr. Roy: He's doing a poor job.

Mr. Speaker: The member for Ottawa Centre.

Mr. Reid: Would the minister not agree—

Mr. Speaker: Order please.

Mr. Reid: —that the $10.5 million that is being paid to—

Mr. Speaker: Order please. The member for Ottawa Centre.

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. Cassidy: A question of the Premier, Mr. Speaker: Is the Premier aware that Algonquin College in Ottawa is making a considered decision not to accept first-year students in the forthcoming academic year? Is it government policy that community colleges should not accept first-year students for a period of a year to solve their financial problems?

Hon. Mr. Davis: Mr. Speaker, I am not aware of it. I suggest that question should be properly directed to the Minister of Colleges and Universities (Mr. Auld).

Mr. Givens: He is never here.

Mr. Cassidy: Supplementary: Would the government take steps, if the community colleges have pared their budgets to the bone, to ensure that no first-year student is refused in September of this coming year?

Hon. Mr. Davis: Mr. Speaker, I am not aware of this. As I say, the Minister of Colleges and Universities, I'm sure, would be quite prepared to answer this question.

Mr. Speaker: The Minister of Labour has an answer to a question posed previously by the member for St. George (Mrs. Campbell).

WORKMEN'S COMPENSATION BOARD

Hon. Mr. MacBeth: Mr. Speaker, on Feb. 3 the hon. member for St. George asked:

(a) How many members of the task force which studied the Workmen's Compensation Board have been hired since Septem-

ber, 1973, and at what salary? (b) What has P. S. Ross and Partners been paid on the per diem basis since that time?

In answer to the first question, I wish to report that the task force comprised three members: Messrs. A. R. Aird of P. S. Ross and Partners as chairman; R. D. Johnston, Deputy Minister of Labour; and Michael Starr. As members know, Michael Starr was appointed chairman of the board in November, 1973, at a salary of $37,800, and Mr. Johnston has continued in his office of deputy minister.

In regard to the second question, P. S. Ross and Partners, upon completion of the task force report for the Ministry of Labour, was engaged by the Workmen's Compensation Board to assist in the implementation of recommendations arising therefrom. For this service the partnership has been paid a total of $140,482.44, during the period Sept. 1, 1973, to Dec. 31, 1974. In addition, the partnership has been paid $2,240.18, which amount is not included above. It was for screening candidates for senior positions recommended by the task force and for a computer analysis of the board's investment portfolio management programme.

Thank you, Mr. Speaker.

Mr. Speaker: The member for Carleton East.

Mr. Lewis: One hundred and forty thousand dollars in 16 months. That's not bad.

HIGHWAYS 17 AND 417

Mr. P. Taylor: Thank you, Mr. Speaker. A question of the Minister of Transportation and Communications: Has he received a letter from the Highway 17 committee over the signature of Mr. Jean Gauthier and has he read it and could he give us his impressions of the statements made in that letter?

Hon. Mr. Rhodes: Mr. Speaker, I cannot specifically say I have received that letter. I have received a number of letters from the businessmen along old Highway 17. I have no idea what the content may me.

Mr. P. Taylor: Mr. Speaker, by way of supplementary, would the hon. Premier, to whom this letter has been addressed, pass it to the Minister of Transportation and Communications so that he can be up to date with the feelings along Highway 17 about the lack of action on signs?

Hon. Mr. Davis: Mr. Speaker, could I just answer that question? I would say if the hon. member were genuinely interested in his constituents, it would be a simple matter for him to send the letter over immediately to the Minister of Transportation and Communications. Why doesn't he do it?

Interjections by hon. members.

Mr. R. F. Nixon: He can do that. Does the Premier really have 10 PR officers? Why is it no one understands him?

Interjections by hon. members.

Mr. P. Taylor: A question of privilege, Mr. Speaker.

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Speaker: Order please. The oral question period has now expired.

Mr. P. Taylor: On a question of privilege. Mr. Speaker, I think you will appreciate that as a member of this House I have expressed in this House over the past couple of months very real concern with the conduct of the business of the House—

Hon. W. D. McKeough (Treasurer, Minister of Economics and Intergovernmental Affairs): Why doesn't the member resign?

Mr. Sargent: The Treasurer resigned, and now he's back in again. He should be ashamed.

Interjections by hon. members.

Mr. P. Taylor: A moment ago I attempted to—

Interjections by hon. members.

Mr. P. Taylor: A moment ago, sir, I raised the matter of the conduct of this question period, and in your response to my opening statement on the question of privilege, you laid the responsibility for the conduct of the question period at the feet of the two leaders of the opposition parties and the extent to which they are permitted to question the ministry. I ask, sir, as a matter of your policy in conducting the question period in this House, do you intend to allow the ministry to run on ad infinitum in the answers to those questions?

Mr. Speaker: I would suggest that that question is as long as many of the answers that were given today. As a matter of fact, both questions and answers were a bit

lengthy today. So there is not a point of privilege.

The next order of business is petitions.

Presenting reports.

Mr. C. E. McIlveen (Oshawa): Mr. Speaker, I beg leave to present the final report of the select committee on the utilization of educational facilities.

It is with great pleasure that this committee tables its final report—

Interjections by hon. members.

Mr. Speaker: Order please. I find it very difficult to hear the hon. member who is presenting his report.

Interjections by hon. members.

Mr. McIlveen: —which marks the end of our work. As chairman, Mr. Speaker, I wish to take this opportunity to express to you my satisfaction with the sincere efforts and generous support of my hon. colleagues in the work of the committee in the presentation of this final report. The committee has been served throughout its life by a resourceful staff. We must acknowledge particularly the support of Alex McFedries, clerk of the committee, and the work of Katherine Bladen, as research director, Barbara Couks as committee co-ordinator, and Kay Shibuya as secretary.

During our three years of work the committee has tried to meet with as many organizations, groups and individuals as possible, to gather a wide variety of information and ideas on the matters that we were to study. We visited educational institutions and held public meetings and hearings in many centres throughout Ontario. On the basis of these travels and discussions we prepared a series of three interim reports dealing with the specific areas of interest.

Our first interim report suggested strategies for increasing community use of school facilities and developing community involvement and participation in the process of deciding how local community resources, including schools, should be used.

Our second interim report dealt with the question of year-round use of educational facilities and the development of year-round educational programmes.

In our third interim report we centred our attention on the development of an open educational system for Ontario which would be concerned with improving access to educational opportunities in the province and achieving co-ordination of our educational resources.

Mr. Speaker, in this final report, we have chosen to bring the recommendations of our three interim reports together with the reactions and criticisms that have been made of our work. We have used this response as a means for refocusing on the areas of discussion in the interim reports that needed refinement and/or re-examination. Therefore we have included in this report, summaries of the public response and the basis of these comments, as well as of the study, and we have made 43 final recommendations.

Mr. Speaker, I would like to indicate the general questions and issues that have been covered in these recommendations. They are the development of community education in Ontario, the increasing importance of leisure in our lives, the planning and design of new community and school facilities, accessibility for the physically handicapped to community and educational facilities. The issues also include falling enrolments and resultant surplus space in schools, who pays for increased use of schools, the need for community decision-making, improved child care and development programmes, utilization of community learning resources and the development of community learning opportunities, community involvement in school programmes, year-round educational programmes, and last but not least, the open sector in Ontario.

Mr. Speaker, may I say in closing that we have been gratified and excited by the interest that has been shown in our work by a wide range of individuals and organizations across this province. I hope that our final report will find favour with these people and I look forward to seeing the implementation of our proposal at an early date.

Before I close, our staff is in the east gallery. I also have to apologize to you, Mr. Speaker, because there is a mistake in the report. When it's addressed to you, you are spelled "R-O-E". We will correct it.

Mr. Speaker: That will satisfy my Irish blood.

Motions.

Introduction of bills.

Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 181, An Act to establish the North Pickering Development Corp.

Bill 190, An Act to amend the Environmental Protection Act, 1971.

Clerk of the House: The fourth order, House in committee of the whole.

ONTARIO LOTTERY CORP.
(concluded)

House in committee on Bill 191, An Act to incorporate the Ontario Lottery Corp.

Mr. Chairman: When the committee rose during our last session, Mr. Smith from Nipissing had proposed an amendment:

> That section 8, subsection a be amended by striking out all the words after "corporation" in line 2 and substituting therefore the words "in retail outlets operated by the Liquor Control Board of Ontario and in chartered banks and in all Province of Ontario Savings offices . . ."

And prescribing the fees, commissions and discount in such sales.

Is there any further discussion on the amendment?

All those in favour of the amendment will say "aye".

All those opposed will say "nay".

It is my opinion the "nays" have it, the amendment is lost.

Are there any further comments, questions or amendments on any further section in this bill?

Mr. R. S. Smith (Nipissing): Yes, Mr. Chairman, on section 9.

Section 8 agreed to.

On section 9:

Mr. R. S. Smith moves that section 9 of the bill be amended by the addition of a comma after the word "direct" in line five of section 9; and that the words "to be available" in line five be struck out and replaced by the words, "and the total of such funds shall be used as directed in the estimates of the ministry."

Mr. Chairman: Any discussion on the amendment?

Mr. R. S. Smith: Mr. Chairman, the discussion has gone on right through the bill on this specific point, so I think most of the points have been covered. The amendment is put forward to make it clear that the funds collected, or shown as a net profit from the lotteries, will be earmarked, for the specific purposes the minister has indicated, to those involved in those pursuits; to ensure that it will be done.

The minister has indicated during the debate that he feels the section does that now. Most of us over here feel that in fact the section does not earmark the funds and that the funds could be used for other purposes when section 9 is read in total. The amendment is to tighten up the section perhaps, and to make it mandatory that these funds be used for the purposes which have been outlined previously in the statement made on the introduction of the bill by the minister.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, since if the amendment is not accepted the section will pass, I would like to make a comment as to another manner in which this perhaps could be dealt with.

If the words "to be available" are replaced by the four words "and shall be used," then I think it would assure anyone reading the section that that earlier clause, "at such times and in such manner as the Lieutenant Governor-in-Council may direct," does, in fact, amplify the payment into the consolidated revenue fund and that all of these funds will be used following the term "shall" in the second line, so that there is clarity as to the intention of the section.

During the debate on second reading, a number of members commented with respect to the drafting of this section. It would appear that if the amendment suggested by my colleague from Nipissing is acceptable, it would go a long way to resolving the concern that some of us had to ensure that the matter would be dealt with clearly.

As I have said, Mr. Chairman, if the full extent of my colleague's amendment is not found satisfactory, I hope that at least the minister will allow the insertion of the comma to which my colleague has referred; and perhaps consider the suggestion I have made, which would be to replace those next three words in the fifth line, which are now "to be available," by the words "and shall be used".

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, I'm afraid we can't support this amendment because of the attitude which I took the other day, and other members of this party have taken. We felt this money should not

be earmarked specifically for this kind of activity. Our feeling is that if it's important that we have recreation and cultural activities in the Province of Ontario, they should stand on their own feet and that this government should make adequate provision for these activities irrespective of whether or not we have a lottery in Ontario. Because of that, our feeling is that this amount should go into consolidated revenue, as is suggested; but at that point is should not be earmarked, it should simply form part of consolidated revenue. If we feel strongly that we should have more recreational centres, more artistic productions or more little theatre in the Province of Ontario, then these things should be undergirded irrespective of how successful this lottery might be.

I can see the problem if the lottery should fail. You then have an incredible expenditure of $60 million in an attempt to get $40 million into the consolidated revenue fund; and that expenditure will likely go on, in large measure, even though the lottery is not fully successful. So if we drop to an income of $80 million on the lottery, then it means the prizes will drop to $20 million or less; and next we might have the minister saying that since the lottery has not been successful this time, we have to back down on our support for recreation, or culture or whatever.

I just don't want the minister or this government to have that kind of power or leverage on the whole cultural development of the Province of Ontario.

As far as we are concerned, we think the amount which is realized by the lottery should go into consolidated revenue, and that the cultural and recreational activities of this province should stand on their own feet; because they are important and because they are part of the life of Ontario, they should be supported on their own merit, regardless of the lottery.

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I just want to refer to the comment which has come from the member for Yorkview. It would appear that the member for Yorkview has now decided that he and his colleagues should oppose the section because of the earmarking of the revenue. Perhaps unfortunately for some of us, that was already decided when the bill was debated in principle. I think that at this point it is our hope, as it appears to be his concern, that the money received shall be used for the kinds of purposes which he wishes to have.

It is difficult, I would feel, to oppose the amendment on those terms because the principle has already been accepted by the House that the money will be earmarked. I would hope that in spite of the comments of the member for Yorkview, the minister will still find the amendment of some value.

Mr. Chairman: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Chairman there is a point here that is very difficult, I agree. I feel, and I am sure the minister feels, there are many people in the province to whom the idea of a provincial lottery is not all that acceptable—although they are not as numerous as they were five years ago, when I would have included myself. The idea that a lottery is going to be used to raise funds for the province doesn't sit well with a lot of people. They think if you want money, tax us and we will pay our taxes as good citizens.

I could see through this thing right from the start. The only reason this lottery Act is tied into the Ministry of Culture and Recreation is to legitimize it in the eyes of certain people within the province who otherwise might not approve. I was very much surprised that the minister admitted this in the House the other day, but he did. He said, "Yes, that is true." Well, if we are using this as a reason to legitimize this lottery in the eyes of certain people who would otherwise object to it, by tying it in with the fact the proceeds from it will be used for culture and sports, I think we have to play honest and tie it in some way. That's the way I feel. Basically speaking, I don't like the idea of earmarking funds, but you have to be honest about this thing.

Mr. Chairman: Does the hon. member for Port Arthur wish to speak on the amendment or the section?

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Chairman. I would just like to support the comments of my colleague from Yorkview. I agree with the dilemma that has been put up by the previous speakers from the Liberal Party, but there is the very grave danger. I know this minister wouldn't do it, but he has been shifted out of his portfolio over the last five years so frequently that we don't know how long he is going to be in this one and how long we can take his words in good faith. It's the legislation that we have to be concerned about. The legislation itself, and the wording of the legislation, will govern things in the province over the next few years.

Mr. Young: He likes the minister.

Mr. Foulds: Like my colleague from Yorkview, I am very loath to give any minister, including the present one or any future one, the out that they could say: "The lottery has only garnered this much and, therefore, this is all that we are giving to the development of culture and recreation." With even the slight rewordings that have been suggested, a Scrooge-like interpretation of those wordings could use that as an excuse—not as a basis in law, but as an excuse—for leaving, in effect, the support of culture and recreation in this province to chance. I would be unwilling to do that. I've spoken on this matter innumerable times in committee, in estimates and in the House.

The private sector, in its contribution to the development of the arts in this province, has been shamefully low. The province, fortunately, over the last three to four years in particular, has taken an increasing role and responsibility, and has taken that increasing role and responsibility in the form of financing out of the consolidated revenue fund.

They have come up with this gimmick—and it is, in my view, nothing more than a gimmick—to get additional revenue. To that much I'm agreeable; but I am not agreeable to even coming close to allowing in the legislation the possibility of the danger that the support would be tied only to the funds raised through the lottery. Therefore, I strongly support my colleague from Yorkview, and we would have to oppose the amendment on this basis.

Mr. Chairman: Is there any further comment on the amendment to the section?

Mr. R. S. Smith: Mr. Chairman, I would just like to make one point clear, that neither this amendment nor the section itself in any way indicates that these will be the only moneys that can be spent on culture or recreation or anything else, and I think it is wrong for the previous speaker to indicate that might be the case.

In fact, the minister has given an undertaking to the House that next year this will be in addition to the moneys that are already spent in the present estimates. I don't think the amendment curtails in any way what can or cannot be spent on culture and receation or the other areas that would be assisted by this clause.

Mr. Chairman: Does the hon. minister wish to comment on the amendment?

Hon. R. Welch (Minister of Culture and Recreation): Mr. Chairman, I want to be helpful and I want to really indicate why I think both of the suggested amendments, other than the comma, might not be what you really want. It would be quite easy to establish rules and regulations which would almost establish these moneys as trust funds, But I didn't think the Legislature would want to establish any wording which would put the ultimate appropriation of these funds beyond the scrutiny of the Legislature. It should go through the estimated process, and if there is any point I was attempting to make the other night it was that particular point.

I think we have some obligation, as the ministry, to reflect upon those areas which were entitled to some enrichment; to look upon programmes where, perhaps, we should be following some new initiatives; and to present this to the House at estimate time in the regular way that programme scrutiny is carried out.

Mr. R. S. Smith: That's what the amendment says.

Hon. Mr. Welch: No, the only question about the amendment under the circumstances, among other things is that the word "ministry" isn't defined in the Act. You talk about this particular ministry, which confines it.

There may well be other programmes or recreation that, in fact, are part of the government delivery system. The physical recreation facilities would not necessarily fall within the purview of this ministry, for example, because all the parks programmes and all the recreational programmes are not necessarily here. I don't feel you really want to be restrictive. So, I think for purposes of clarification—and I speak to the member for Kitchener—I would just be worried that a year or two from now someone might start interpretating his wording too strictly and think in terms of this separate and apart from the estimate process.

What I'm really pleading for is a consideration of section 9 along these lines. The comma, if it helps to clarify, is perfectly legitimate. I think if it will help to clarify the matter then let's put in the comma. What I would like to suggest is that the section be left the way it is, unless you want to add after the word available "by appropriation"; or some such words which would relate it to the regular procedure.

But aside from the section, I was drawing your attention the other night to what I envisage. Two items in the 1974-1975 estimates have already been carried by the Legislature in the Social Development policy

field; I direct attention particularly to pages S20 and S36, whereby we talked in terms of $51,492,000, now being the total for cultural and general education in the Ministry of Colleges and Universities. So there will be some modification of that amount as to the general education portion. On page S36 there is some $10,088,000, which is described as the total for community services, being subsidies and grants to community groups and agencies.

Now these, plus other programmes, are coming into the Ministry of Culture and Recreation. It is our obligation to show you that in the normal way—in the normal revenue route through taxation—these programmes will be maintained or modified, depending on the mind of the Legislature. There'll be the natural appreciation or accretion to these amounts that would come irrespective of a lottery. The new initiative, the new emphasis—some of the things that perhaps couldn't have been done another way—would in fact be attributable to the net proceeds from the lottery, with the very firm statement having been made that we are talking about in addition to and not instead of, which I think is very important.

I'm really trying to be helpful; I'm not trying to be difficult on this amendment, but I really feel, with some sensitivity to the ultimate power of the Legislature in this matter, that the minister has some obligation to introduce these programmes in the normal way through his estimates and then be able to establish the facts for the purposes of this House.

There will be the annual report of the lottery corporation, which will be public information. What the net proceeds are will be quite well known, and I can't imagine anyone considering the estimates of this ministry or any ministry related to recreation without asking for some accounting with respect to the distribution of those funds as set out in the annual report of the lottery corporation and further manifestation in the estimates with respect to the amounts.

So I really say to you that I would prefer, unless—and I just caution you about putting in words that may well be interpreted as simply saying that these amounts really are beyond legislative scrutiny. I tell you quite truthfully, I don't want to be placed in a position, as the minister—people accuse me of this motivation and I don't want it—to have complete control, as a single minister, over the distribution of these particular proceeds. It has got to go through this particular process.

I suggest to you that your particular wording does not do anything to improve upon what's already there or to further clarify our intention.

Mr. J. E. Bullbrook (Sarnia): May I just make a comment? I appreciate very much the fact that you don't want to be burdened with the specific distribution of these funds, but you are going to be burdened with the specific distribution of these funds.

Hon. Mr. Welch: That's not true, you know.

Mr. Bullbrook: I believe it to be true.

Hon. Mr. Welch: I am simply saying it is not true.

Mr. Bullbrook: I believe it to be true. Correct me then. Who is going to make the value judgements? We are not going to make the value judgements, you are, as the minister; that's your responsibility.

Hon. Mr. Welch: Ultimately it is like every programme of government that comes in here; the Legislature accepts the responsibility, ultimately.

Mr. Bullbrook: I know, that is the very point I am making. We accept the responsibility for appropriating the funds to your ministry under general headings for specific distribution. You make the value judgements and you are going to be doing so.

I want to talk about this. As I understand the purpose of it—and perhaps I'm not grasping your explanation, but here we have in effect an hiatus as I see it. Our looking at the report of the Ontario Lottery Corp. will just show us an expenditure of their net revenues over to the consolidated revenue fund. That's all it will show. All right? Now if you continue with the use of the words "to be available," as I understand my colleague from Nipissing, his concern is that unless you decided to use these funds, they don't come before us in your estimates, because only if you have appropriated them for public use are they going to come before us for scrutiny and debate.

The problem is that when you use the words "to be available" it puts no obligation upon you to use the funds, therefore giving us the enjoyment that you so truly and rightly want to give us. As I understand it, this is why he is very much worried about it. He's worried about the fact that the government has the responsibility of making a judgement as to whether the funds will be used. If they are just going to be available and they

are not used, we are never going to have anything to do with debating them.

Hon. Mr. Welch: I don't perceive that happening.

Mr. R. S. Smith: The point I would like to make is that the minister says he wants to make sure they go in the estimates. If he reads the amendment that I put forward, I say specifically that the money should be made available to the estimates. Maybe the Chairman will read it again and that would clear up the whole question, because you say you want to get it in the estimates. The amendment says you have to put it in the estimates; and that is what we want to do. We are both trying to do the same thing. If you leave the section as it is now, we are not going to accomplish that.

Hon. Mr. Welch: I disagree. I'm quite happy to live with the section the way it is, with the addition of the comma for purposes of clarification.

Mr. Chairman: Perhaps we can deal with the comma first. I understand that the minister is agreeable and the members of the House are agreeable to add the comma in—

Hon. Mr. Welch: Are you going to divide on the comma?

Mr. Chairman: —line five, section 9, after the word "direct."

Amendment agreed to.

Mr. Chairman: Let's deal then with Mr. Smith's amendment:

> That section 9 of Bill 191 be amended by the addition of the comma after the word "direct" in line five of section 9; and that the words "to be available" in line five be struck out and replaced by the words "and the total of such funds shall be used and directed in the estimates of the ministry."

All those in favour of the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it. The amendment is lost.

Mr. Bullbrook: I think you are right. It is 9 to 4.

Mr. R. M. Johnston (St. Catharines): Democracy in action.

Mr. Chairman: I declare section 9 carried with the one minor amendment.

Section 9, as amended, agreed to.

Hon. Mr. Welch: Section 9, Mr. Chairman, is carried with a comma.

Mr. Chairman: With a comma! Are there any further comments, criticism or amendment to any other section of the bill?

Sections 10 to 14, inclusive, agreed to.

Mr. Chairman: Shall the bill be reported?

Agreed.

Bill 191, as amended, agreed to.

Hon. Mr. Welch moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with two amendments and asks for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 191, An Act to incorporate the Ontario Lottery Corp.

MUNICIPAL ACT

Mr. Beckett, on behalf of Hon. Mr. McKeough, moves second reading of Bill 182, An Act to amend the Municipal Act.

Mr. J. R. Breithaupt (Kitchener): Perhaps there are some comments the parliamentary assistant would wish to make first, Mr. Speaker?

Mr. R. B. Beckett (Brantford): Yes, Mr. Speaker, I would appreciate that opportunity. I would like to inform the House that it is the government's intention to introduce a number of amendments to Bill 182. Most of these amendments are minor in nature and relate to the date of the coming into force of various sections.

One amendment of particular significance, however, should be noted. That amendment, which is a new matter, increases the authority of municipalities to make grants. Presently, municipal authority to grant moneys to any organizations or persons must be specifically provided for in the Municipal Act. This has

caused serious problems where municipalities had wished to fund worthy organizations not referred to in the Act.

This amendment would authorize municipalities to make grants which councils consider to be in the best interests of the municipalities and will result, therefore, in the continuation and establishment of many needed organizations which provide services, such as homes for emotionally disturbed children and community information centres. There will be other amendments which I would beg leave to submit during the consideration of the bill in committee of the whole House, Mr. Speaker.

Mr. Speaker: The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, as the parliamentary assistant has indicated, he must have been saving amendments to the Municipal Act for a good long time to come up with this many all in one bill. There is really no general principle to the bill, but there are various things about which I would like to make comment.

The first part, Mr. Speaker, simply allows an improvement district of 500 population now to declare itself either a township or a village, which I suppose has some implications more or less of the future status of that municipality. And then there is the carrying on of the bylaws when a municipality merges with another municipality.

The next part deals with the county now being allowed to be the debenturing agency for other municipalities within the county. I suppose the reason for that is that the county would undoubtedly get a better rate on the money market when it issues a debenture loan than would a small township within the county. So, that would certainly seem to make good sense.

No ministerial approval is required now for a municipality to set up a sinking fund, and there are changes regarding the issuing of debentures in either Great Britain or US currencies. Ministerial approval is no longer required, but these funds must be kept separate if there is any premium. I suppose it would be used later in the paying of the interest on the premium fund, or if there is any change in the evaluation of that particular dollar.

The province, Mr. Speaker, is moving slowly in the right direction along the lines of allowing municipalities to receive or charge certain institutions held by the Crown in the right of the Province of Ontario within its boundaries, to charge them certain amounts in lieu of taxes. We have had legislation regarding the students at the universities. We have had legislation regarding inmates in the provincial correctional institutions, and that definition is now expanded to allow a $50 levy per year against training schools within the municipality, as well as facilities for the mentally retarded. So that will help the tax base somewhat. We have been promised, for as long as I have been in this House, that the province intends to move more and more towards providing the proper taxation grant in lieu of taxes for those institutions which are provincial in nature and lie within the municipality. So, now we have another few added to the list.

It's difficult to figure out what percentage the $50 grant would be of the taxes that would normally be levied by the municipality if the full assessment were made. I can remember when the grant at the University of Waterloo was $25 per student. For the city, it represented about 19 per cent of what the taxes would be if they were taxed at the regular assessment.

However, this is another step in the long succession of grants that are paid by the province to the municipalities. These payments in lieu of taxes would of course affect the equalized assessment base of that municipality when it comes to them paying their levy to a higher level of government, and the allocation of this money within the municipality for levying purposes would be on the basis of the regular tax base.

The matter of levies on telephone companies is changed somewhat so that a municipality now can collect on calls, as I understand this—

Mr. J. F. Foulds (Port Arthur): On a point of order, Mr. Speaker, there is no quorum.

Mr. Speaker: Would the Clerk check for a quorum, please?

Mr. F. Laughren (Nickel Belt): Why don't the Tories start doing their job around here and get a quorum in?

Clerk of the House: Mr. Speaker, there are 15 members present.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: We now have a quorum. The hon. member may continue.

Mr. Good: Thank you, Mr. Speaker. The five per cent taxation on gross receipts will

now include calls generated by the telephone company within that municipality, but as I understand it, there is some arrangement whereby the kickback of funds from other telephone companies on long distance calls will now be applicable to taxation within the municipality; which I suppose is a fairer and more equitable way of doing it.

I am a little concerned, Mr. Speaker, as to why the provisions of taxing the gross receipts of the telephone companies under 2,000 phones—which were at three per cent and then four per cent and were to go up to five per cent in 1975—have been left at the four per cent rate, and that has been extended now to 1975 and 1976. Evidently they must have been in some kind of financial trouble and asked for this concession. The municipalities would certainly wonder, I suppose, why they have to cut back their taxation, which was formerly allowed under the old statute, by this amendment. I would like to hear a reply from the parliamentary assistant on that particular point.

Ministerial approval is no longer needed for the setting of reserves, but a vote of two-thirds of council will serve the same purpose, and any reserve, of course, must be used for the purpose for which it was originally designated.

The method by which municipalities may invest on the short-term market money which is not needed immediately is broadened to some extent. I have spoken to various municipal treasurers around the province and they rely a great deal on the investment of money derived from interim taxes, levies that are made even before the mill rate has been set. When the expenditures of a municipality for that year are very low, probably just payroll and very little else, the investment of those funds generates a considerable amount of additional revenue for that municipality. The broadening of the purposes and the places in which they can invest is, I am sure, welcomed by the municipalities.

The investment of surplus funds procured from debentures—I suppose they float a debenture for a certain project and then if the project is not completed payment would not be required immediately—is also allowed and provided for, with the condition, of course, that that money be returned to the debenture account. Offhand, I don't see here what would happen to the interest on that money that has been invested when it is debenture money. Because the money so invested is returned to the account, I would presume the interest from it could go into the general revenues of the municipality. Perhaps the parliamentary assistant could clear up that problem for me.

The imposing of fire routes on private property by municipal bylaw is something which I always thought could be done. Maybe it was done under another Act—the Fire Marshals Act or something—but I know there have been times in my constituency, when the fire chief had authority, I thought, to have cars towed away on roads which were designated as fire routes on the private property of shopping plazas. While it is private property, the "No Parking" signs were not being adhered to, and the statement was made that these were fire routes and if a fire ever occurred in that shopping plaza, the fire trucks could not get in. I understand tickets were issued and cars were even towed away. Maybe this is a clarification of that, and perhaps I am mistaken in believing that that had always existed.

Another section, Mr. Speaker, deals with the sale of industrial land and money from that sale can now be used for purposes other than that land without ministerial approval; or three-quarters the vote of the council instead of the minister's approval would be required for using that money for other purposes.

Then we have a section here, rather a lengthy section, dealing with the whole matter which has been discussed in this Legislature on numerous occasions, and that is the licensing and the assessing and taxation of mobile homes or house trailers.

A rather ambiguous situation has developed in the province, Mr. Speaker. Normally, municipalities license mobile homes under this section of the Municipal Act, and the assessors did not bother to assess, nor did the municipalities tax, the mobile homes. Some bright assessors a few years ago got the idea that, under the terms of the Assessment Act, when they deal with real property it included mobile homes.

That decision was upheld in court, with the result that we had the situation where the municipality was levying a $20 licence fee on that home per month, which they were allowed to do under the Municipal Act, and the assessor was making his assessment stick under the Assessment Act. So the municipality then was obliged to levy a tax rate and a mill rate against that assessment.

I brought this to the attention of the minister in the House about a year ago this spring, and he said it was not their intention to double tax and they would be looking into it. Since then I have had conversation and correspondence with the ministry and the amendments are now here to deal with the problem.

Mr. Speaker, I think many municipalities were labouring under a misapprehension when they thought that mobile homes were not paying their fair share of taxation. And even if they were paying their fair share of taxation, many municipalities did not want, and still do not want, mobile homes. Rather than make their prejudices known, they always blamed it on the fact that the units didn't generate taxation.

I have said in this House and I have said to councils within my own area at $20 per month many mobile homes were generating more revenue than some three-room apartments in apartment buildings. In any event, this didn't seem to influence too many municipalities. Then, by doing a little research, Mr. Speaker, I was able to show one municipality that they were better off financially by having a mobile home unit within their boundaries.

First of all, each mobile home was generating revenue of $20 a month or $240 a year to the municipality. This municipality is an area government within a regional government. Now the levy, or the taxation from the area government to the region, is based on the equalized weighted assessment. The assessment on that particular mobile home park is very low. Therefore, the levy to the region would be comparably of a low nature. But there is where the paradox comes in. The grants coming back to that municipality are on a per capita basis under the Municipal Unconditional Grants Act. So they are getting large grants because they are on a per capita basis, and they are paying a small levy to the region because they are on an assessment basis.

So I was never convinced that municipalities were financially worse off by virtue of having mobile homes within their boundaries, even if a considerable number of school children were involved. Because the same thing held true to the levy of that municipality to the school board as on an assessment base, and the grants from the province came back on a per pupil basis. So I was never convinced.

Now we find that under this particular amendment the licensing procedure will be eliminated, and municipalities may license trailers presently in the municipality and charge a licence fee up to $20 a month. The amendments exempts the trailers assessed under the Assessment Act in order to avoid the duplication involved in paying both the licence fee and municipality taxes in respect of the trailers. So in those municipalities where they have accepted the assessment on those trailers, and they are charging them taxes on that assessment, I understand they will no longer be able to license them.

From what I have been able to find out in my own area, I know the municipality is going to need revenue under the taxing arrangements. Mr. Speaker, I don't think the people living in mobile homes expect to pay less tax than anyone else. They want to pay their way. This has been the argument given by many people who have approached me as to why they can't establish additional mobile home parks closer to the built-up areas of the province. They have always said: "We want to pay our own way but that type of life suits us better."

Retired people can get into a really nice mobile home for $10,000, $12,000 or $15,000, instead of having to pay $30,000 or $40,000 for a home. People whose work takes them from one part of the province to another certainly like that way of life. But the municipalities have generally resisted them.

If there is a loss of revenue, there is provision in the bill that a refund of licence fee will be paid if a particular unit has been assessed and taxed. There is also provision that the province can reimburse a municipality for loss of revenue when the taxation rate does not equal the licensing fees. The provision here is quite clear, I think, in that the owner must apply for that refund of licensing. That's something that may cause a few problems if owners are not aware of the fact that they have to apply, but I suppose word will get around quite quickly in that regard. The minister also can pay a municipality for lost revenue.

There is an interesting section in this bill, Mr. Speaker, which I hope will clear up the problem that has existed with taxis at the Toronto International Airport. It provides that cabs licensed in Mississauga will not have exclusive rights at the Toronto International Airport and that others not governed by these municipal bylaws may also serve people at the airport. I hope this corrects once and for all, the situation that has existed for a good many years at the airport.

The maximum $2 licence fee on itinerant salesmen now is removed and the municipality now may pass bylaws granting permits to construct over public roads and streets. I presume, this will correct situations like the Sparks St. Mall in Ottawa, where there were problems because they wanted to build certain things within what was a permanent mall but what was still designated as a street.

The section should also correct the problems that have resulted in sidewalk sales being illegal in the province, as I understand it, although I'm not sure. I'd be interested to know if this section will correct that situation, because the merchants in most municipalities of the province have been holding sidewalk sales up and down their main streets and, as I understood it, they were illegal because there were no provisions in the Municipal Act to allow them. I would think this section should take care of that.

The method of financing county councils is overhauled so that they now will be allowed to make interim installment levies of taxation. There is one point here which I am not quite in favour of. If a municipality within the county is late in its payment to the county or is in default, interest will be paid on that late instalment. Then there is provision in another matter where the OMB can hear appeals on these levies. If the OMB decision upholds the fact that the levy from a township to the county council was too great and it was going to have some portion of money refunded, I don't see any provision where the county would have to pay interest on that overpayment that was designated as overpayment after an appeal had been made to the OMB. At least, I couldn't find it.

I think that should work both ways. If the county is going to charge interest for late instalments, I think they should also pay interest if they have been overcharging a municipality within the county and that municipality has filed an appeal with the OMB and has had its decision upheld. It is just a point which I think I'd like to hear clarified.

Then there is a long section here regarding the poor municipal clerks and all the work which they have to do, which, in my view, should be done by the assessment department. It's up to the clerk now to get the school support lists in order. He has to include the assessment roll number on them. Among other things he has to do is verify the owners on a tax sale list where they list the properties that are going to be put up for tax sales. The clerk has to verify those now in a new form and the fee that the clerk charges on that may now be set by bylaw and not necessarily just be the $2 fee which it was before.

In the section dealing with refunds, cancellations and return of taxation by a municipality in such cases where a house is burned down or torn down and there would be a refund, provision is now made that it applies to mobile homes as well.

In all, Mr. Speaker, I'm sure these are needed amendments, and probably amendments that municipalities have been asking for. I would appreciate if the parliamentary assistant could comment on those questions of which I was uncertain.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, this bill is certainly a hodge-podge of amendments to the Municipal Act which are very difficult to deal with as a matter of principle. I suppose the general principle that is outlined here is that there shall be amendments to the Municipal Act, and there's not much more than that. I don't plan to do what the member for Waterloo North has just done. He has gone through the bill very adequately. I don't think I disagree very much with that he has said, but we may have some comments from time to time during the committee stage.

But there are a few things. I think that one of the good things that has been done here is, in effect, the abolition of the improvement districts and making the figure 500 and up for the new townships. This is something that the member for Thunder Bay (Mr. Stokes) has been talking about for some years. He'll have a word to say about that later and I don't intend to dwell on it right now. I presume this is simply a transitional phase because as regional governments are set up these small townships will disappear into the regional government. Certainly it looks as if it's a good move now, because all too often these improvement districts are simply little fields of the provincial government or the local corporation that may be exploiting resources.

The general tenor of this bill seems to be a reversal of the trend which has been going on for many years, and which the minister and his predecessors have been trying to change; that is, for a long time we saw the gradual erosion of the powers of municipalities. Over the period from the Baldwin Act until a couple of years ago, we saw how those almost independent municipalities gradually became the property of the provincial government because more and more of the powers of those municipalities were taken over, because they were not large enough to exercise those powers, and they could not provide the resources to set up the staffs and the technology to meet the present age. So we have seen the province assume more and

more of that responsibility over the years. This is something many of us from time to time have remarked upon at great length in this House.

But now, in the last period of time, we have seen a reversal of that—particularly as we have got more and more regional governments. The government has seen fit to restore certain powers to the municipalities, and that is all to the good. I think the more independence we give, particularly to the regional governments, the better. And while the smaller municipalities may not yet be in a position to assume much of that power, at least they are being given what little power they can exercise with some degree of skill. So that a good deal of this Act is looking toward that particular change of responsibility, and we agree that it is a good thing to do.

One thing that has concerned me for a long time is the fiasco with the cab situation at Toronto International Airport. At one time we had a very efficient service there—with the airport taxi service—when one company had the monopoly. While I realize that this bill doesn't deal with this in any adequate fashion, it does give other people, beside Mississauga, some control. And it does end part of the cab war that we have seen.

In recent days we have gone into the great scramble for business out there. When I get into a cab I notice that the dispatcher puts his hand out to the driver, and the driver deposits part of the fare into the dispatcher's hand. Cab drivers tell me that this is the usual practice; that they have had to share with the dispatchers if they expect to get business at all. This system did not exist when one cab company had the franchise, and it's an introduction I am very sorry to see.

If I can enlarge on this for a moment, Mr. Speaker, the cab drivers who used to drive for the franchise company recently formed their own organization, set up their own dispatching system and are in uniform now, and doing a good part of the driving from the International Airport. Perhaps a more healthy situation is being restored. I agree with this particular section of the bill, but I would hope that we can go a good deal farther, and that eventually we can restore a good deal more order to that situation.

The fixed date for the last day for assessment complaints disturbs me. I think uniformity is what we are striving for in the administration of our municipal governments but I can see where some municipalities may have difficulty in meeting this deadline, which is set as the second Friday in November. I'd like to hear the minister, or the assistant, justify this. Perhaps he can give us good reasons why that should be done.

The member for Ottawa Centre (Mr. Cassidy), who is occupied in committee today, asked me to express to the ministry certain reservations which he had about part of this bill. He wasn't sure that he understood the complete meaning of it. I'll simply read the notes which he left with me to have placed on Hansard, Mr. Speaker.

He says that the sections on equalized assessment on the shares paid by municipalities to meet county expenses should be explained by the minister. There seems to be no reference to the method of calculating payments by area municipalities to county school boards. This is a serious problem in the Ottawa area. Gloucester township is facing a liability of $950,000 because the Carleton county school board did not take into account Gloucester's federal grant in lieu of assessment in calculating the township's share of school board costs. The board was working on the ministry's directives, but these were overturned on an appeal to the OMB, and cabinet has not rejected Gloucester's appeal from the OMB decision. What is needed from Gloucester is clarification of how grants in lieu of assessment should be handled by school boards and compensation for its taxpayers for the $950,000 liability which accrued because of local officials following the directives of Queen's Park. Now, perhaps we will have some clarification of this when we get the ministerial answer to the whole problem.

Some of the other members of this caucus have a word or two to say on aspects of the bill. We don't feel that it solves many of the basic problems of our municipal governments today. Certainly, we should be looking more and more to a speed-up of regional government which this government seems now to have slowed down. But with that there should be proper undergirding of fiscal resources, which we have already mentioned many times here.

I would hope that we don't think—and I don't think the minister does think—that this is a solution to the whole problem of municipal government today. However, by and large we agree with the general changes that are outlined in this bill and we will have a bit more to say at a later date.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I am going to make a few comments on the bill—I'll be very short—and express the concern of my own community and commend the ministry for having taken it into consideration and eventually resolved the problem.

The section of the bill that I first would like to make comment on, Mr. Speaker, is section 14. This gives municipalities the right to designate private roadways and fire routes and to prohibit the parking of vehicles thereon.

I can recall back in the early 1960s being asked by the municipality to encourage the government to come along and introduce legislation that would control the problem. The municipality was always of the impression that they did not have the authority. If I am not mistaken, at one time they had a bill before the private bills committee seeking that type of authority. It was denied, because they said it should have been in general legislation, rather than going into specific legislation.

Now the ministry has seen fit to designate the power to designate private roadways so that the municipality can ticket illegal parkers—parkers on private shopping plazas. It's nothing unusual to go into a shopping plaza in almost any community and find cars parked where it says, "No parking; fire route"—because it is the closest area to the entrance of a building. Under this legislation the municipalities will have the authority to designate such areas and to have tickets issued in violation of the municipal bylaw.

The next area, Mr. Speaker, that concerns me a bit—and it is the name that really concerns me—and that is the use of the name "trailer" for accommodations. These are mobile homes. I know in the definition section a mobile home may be designated as a "trailer" but I think this is downgrading a substantial and important type of housing.

I think the definition should be changed. I think we should call a mobile home a mobile home, and designate the trailer differently. What we looked upon as being a trailer in the old days was something that trailed behind a vehicle and did not have all of the conveniences that you find in what today is referred to as a mobile home. Anyone who lives in a mobile home park is very highly insulted in having his accommodation called a "trailer." It's almost the same as calling some individual's accommodation a slum, and one shouldn't do that.

Mobile home living is substantial living, it's good living. It provides accommodations for a large percentage of our populaton. In the future it will provide a much greater percentage of accommodation to the people. In fact, if I am not mistaken, approximately 60 per cent of the accommodations under $15,000 built in the last year in the United States were mobile home accommodations, so I would like to see the ministry look into the changing of the name from trailer and, especially where it refers to a mobile home, to have it referred to as a mobile home.

The only other section that I would like to bring to the minister's attention is section 19, which now permits municipalities to have sidewalk sales and other business ventures of that nature. It was only last year in the private bills committee that my own community asked for permission to conduct such sales and was denied that, simply because the ministry thought that should have been in general legislation. The city of Toronto was given permission to have the mall in the downtown area as an afterthought, when pressure was applied by the members of the local council. I think it is a forward step to allow municipalities to regulate, control and license these ventures. My community hesitated to permit such obstructions being placed on sidewalks and in roads because of the insurance coverage, and I think now that there is general legislation that will solve the problem.

Thank you, Mr. Speaker.

Mr. Speaker: Do any other hon. members wish to speak to this? The member for Wentworth.

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker. I will be extremely brief about it.

There is very little to oppose in the bill. The thing that bothers me about the bill is that while every single section is no doubt somewhat of an aggravation to some municipalities across the province, and is, indeed, a reflection of the government's response to questions raised by municipalities and by members of the Legislature over the last while about particular matters, it worries me that at a time when municipalities are faced with major cost inflation we are playing around the fringes with changes like this to the Municipal Act. I don't quite understand why the government hasn't begun the process of rewriting the Municipal Act to bring it into touch with the actual needs of municipalities and to provide within it a much more substantial access to provincial funding.

The changes that are made are fine. On the matters dealing with the levy against telephone companies one might question why it was staged in the way it was between 1973 and 1974, and why the government found it necessary to levy different percentages on smaller companies in those particular years. One can question all kinds of things, such as the right to raise the levy in a number of different areas, but I think, quite frankly, that these things, though they might be important in their own right, don't begin to deal with what is the major problem of municipalities across the Province of Ontario, and that is that they are going to be faced in the next year with a tremendous appreciation of cost; that the cost of providing the services that are currently being provided in the majority, if not in all, municipalities right across the province is going to rise by a substantial amount.

I would have thought that since this is now the month of February of 1975 and most municipalities are currently in the midst of determining what their budgetary requirements are going to be for the year 1975-1976, this government might have been in a position in February to tell them that there are going to be substantial additional amounts of money made available to them for general municipal purposes in order that they can meet their legitimate obligations without imposing additional hardship on the residential ratepayers.

I think that's what aggravates me about the kind of legislation that is brought in by the government. Nobody questions the need for these amendments, but they should be part of a total package dealing with not only these rather incidental matters but also dealing with some of the major problems confronting the municipalities in this province. The government seems to think that all it need do in order to satisfy the requirements for sitting from time to time is to bring in amendments of this type.

How are we going to make available to municipalities their fair share of the additional revenues that have been derived by this government as a result of the inflationary spiral; an inflationary spiral which I might say is affecting their performance and the possibility of them being able to provide the level of service that their residents rightfully expect from them? And I think that's what we could have expected in this.

The other thing that bothers me is that not too long ago I raised with the ministry the problem of the position of solicitors with regard to their rights to a hearing. I put a private member's bill on the order paper and asked that the Municipal Act be amended to give solicitors the same rights with regard to a hearing in the event that they were to be fired as is given to engineers, clerks and other personnel within the municipality. Given the nods of approval that I got from a number of the government members, including the then minister—now Minister of Housing (Mr. Irvine)—charged with the responsibility of administering of municipal affairs, I had expected that that might come forth in an amendment to The Municipal Act.

I know the hon. member for Sarnia (Mr. Bullbrook) knows, as I do, that the city solicitor in the city of Hamilton suffered a great deal of aggravation and embarrassment not so long ago at the hands of certain council members who attempted to downgrade his position in a personal vendetta, and he needed the protection of The Municipal Act. He desperately needed that protection to ensure that he would have in law the right of a hearing, and he doesn't have it.

When I raised it with the member for Grenville-Dundas, now the Minister of Housing, and asked whether they might consider permitting the private member's bill to go through, the first reaction I got was, "yes," they were prepared to accept it. It was only after they realized the legal consequences of allowing an opposition member's bill to pass that they decided not to go ahead with it.

But I did anticipate that that would be contained in an Act to amend the Municipal Act, to ensure that no other solicitor acting on behalf of any municipal corporation would be forced to endure the kind of embarrassing situation that was thrust upon the city solicitor in the city of Hamilton.

I would like to ask the parliamentary assistant to the Treasurer (Mr. McKeough) whether or not any discussion was ever undertaken with regard to ensuring that the same protection now afforded to other top officials in municipalities will be afforded to the top legal adviser in municipalities. I think it's necessary; I think it's common sense. I'm disappointed, frankly, that it isn't contained in this bill. I had anticipated that it would be, and I frankly think that it should be.

I wish that the government at some point could set its mind to putting into order the Municipal Act so that it reflects the needs of today's municipalities, and that it stops bringing in, in dribs and drabs, all kinds of minor amendments year after year. Surely to good-

ness it's not too much of a problem for the government, with the Ministry of Treasury, Economics and Intergovernmental Affairs, given the vast numbers of people that it has at its disposal, to sit down and to try to bring into the 20th century an Act which has been amended and amended and amended, but has never been rewritten, in an attempt to provide a proper kind of legislation for municipalities to operate within.

I sincerely hope that the parliamentary assistant will take back to the minister—I couldn't remember if he was Minister without Porfolio or parliamentary assistant. It really doesn't seem to make a heck of a lot of difference.

Mr. J. E. Bullbrook (Sarnia): Oh, it does, it makes about $10,000 worth of difference. That's an appreciable difference, isn't it?

Mr. Deans: Well, in terms of dollars, it's a big thing.

I hope that he will take back to the minister the need to spell out clearly what the intentions of the government are (a) with regard to the funding, and (b) with regard to ensuring that the Act is gone over, if need be, by one of the standing committees, and getting representation from those who are knowledgeable in municipal affairs, in an effort to try and make sure that all of the sections of the Act are in keeping with the needs of municipalities in the more modern society of 1975.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I have a few words to add to the debate on Bill 182. I am going to confine my remarks specifically to section 1 of the bill, which is a provision which I have advocated. It is something about which I have been cajoling successive Ministers of Municipal Affairs, Ministers of Treasury, Economics and Intergovernmental Affairs, Ministers without Portfolios, parliamentary assistants and civil servants for the past six years. The purpose of my cajoling and urging them was simply to allow communities of less than 1,000 population to be erected into townships. We have many of them in northern Ontario and because of the limitations under section 10 of the existing Act, it was impossible for them to do without bringing in a special piece of legislation into this House.

It was done in the case of several smaller communities, unorganized communities, in the past which allowed them to seek erection either into a village or a township, but it required a special Act of this Legislature. With an amendment to section 11, I guess it is, of the Municipal Act, it is possible for communities of less than 1,000 population to be erected into a township rather than having the status of an improvement district board where there wasn't responsive or responsible government, inasmuch as they were officials appointed by the existing minister or someone who was under his direction.

This is a tremendous step forward. It has been a long time coming. It will provide many communities throughout the province, and particularly in my riding, with an opportunity for the first time to have some control over their own destiny. Not only will it provide an opportunity for people living in those communities to be more responsible with regard to their own needs, but I think that those who are charged with the responsibility for municipal government will of necessity have to be more responsive to the specific and unique needs of those particular municipalities.

I think the time has long since gone when people in a community have to be guided, led and directed by somebody who is elected by a minister of this government or any other government for that matter. I think that what has aggravated the situation even more was that some of the elected officials who were charged with the responsibility for the affairs under an improvement district board did not necessarily have to reside within that jurisdiction. In fact, many of them didn't even reside in the jurisdiction but had a fair degree of control and say in the day-to-day affairs of those communities that had an improvement district board as the only municipal body to deal with the various ministries of this government down here in Queen's Park.

It has been a long time coming. It is something, as I say, that I have advocated, I think, almost since I came into this House about seven years ago. I do hope that the parliamentary assistant will impress upon officials within the ministry that they should proceed with all possible haste to assist, to advise and to guide these municipalities so that they too can take their rightful place in the social and economic life of the province by allowing them to get into, in a meaningful way, cost-sharing programmes where they will have a much greater responsibility now than they have ever had before. I hope this amendment will provide them with an opportunity to enhance the lifestyle in their community and accept some responsibility for its future. I'm sure all of those people will be a lot better for it. I think that even the min-

istry will find that if we make people more responsible at the local level they are much more likely to take municipal affairs in those communities much more seriously than they have ever done in the past.

I want to compliment the minister, through the parliamentary assistant, for having brought in this particular amendment. I'm sure that a good many communities in my riding will be extremely pleased by it and I hope that it gets speedy passage through this Legislature to allow those municipalities to get on with doing the kind of work that they're capable of doing. I see the minister's advisers under the gallery complimenting one another. I'm sure that there were people who were urging for this very thing behind the scenes. I want to compliment them, too. I don't know their names, but I'm looking forward to bigger and better things from these communities as a result of this amendment. Thank you very much.

Mr. Speaker: Does any other member wish to speak? The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, sometime around Dec. 16 or 17 the Minister of Transportation and Communications (Mr. Rhodes) introduced some amendments. I wrote him a letter on Dec. 18 in which I said:

> I was glad to listen to your introduction of amendments to the Highway Traffic Act. I didn't hear any reference to putting fire lanes in shopping malls under the Act so that local police could enforce safety in such places. Did I fail to hear it? If not, could you work it in?

An hon. member: What date was that?

Mr. Burr: Dec. 18. Bill 182, which we're now discussing, was introduced on Dec. 19, and yet I got a reply from the Minister of Transportation and Communications on Dec. 31 in which he said:

> Dear Fred:
>
> Thank you for your letter of Dec. 18 regarding police control in fire lanes of shopping malls. The Highway Traffic Act has traditionally been restricted in its scope to the public highways and I believe that this is the right and proper way for it to remain.

I suppose this is an example of lack of communication between ministries.

Mr. Bullbrook: What ministry was the member dealing with? The Ministry of Transportation and lack of Communication?

Mr. Burr: Yes, Transportation and lack of Communication. The question I would like to ask the parliamentary assistant is why this new section 14, subsection 1, can't be extended to require the reporting of collisions and compliance with privately-erected speed limit signs? Could this section be expanded to cover these two points so that the police could enforce traffic laws, control speed and make it mandatory that collisions be reported?

Mr. Speaker: Are there any further comments by hon. members?

Mr. Bullbrook: I would like to speak, Mr. Speaker.

Mr. Speaker: The member for Sarnia.

Mr. Bullbrook: I have one brief comment, if I may, on a matter of principle not enclosed within the bill itself but on the outside of the bill, and that is the principle of the Treasurer of Ontario instituting municipal bills.

Through the Speaker, I would strongly recommend to the minister that if he ever has the opportunity he would recommend to the government the reinstitution of a separate portfolio dealing with municipal affairs.

Looking back to my first term in the Legislature, Mr. Speaker, when I had problems, I would pick up the phone and call the present chairman of the Ontario Municipal Board, the then deputy minister; when I had a legal problem, I knew exactly where to go to—John Bell, QC. We knew who would give us the answers.

I think one of the most significant responsibilities of a provincial government—it might even be a trite to say this—probably is liaison with municipalities. I think we made a tragic mistake when we integrated that responsibility in intergovernmental affairs. I think it is worthy of a separate portfolio. I think it's something that, were I part of government, I would strongly recommend to my colleagues.

Mr. Speaker: Does any other hon. member wish to speak to this bill? If not, the parliamentary assistant.

Mr. Beckett: Mr. Speaker, with your permission I would like to attempt, not to answer each one of the points raised by the various members but rather to try to group them, because I think the same points were raised many times by different members.

To start off, there was a question about what I would call the philosophy behind this

bill. The best way to express it, I think, is to say that this is the government's answer to requests from municipalities to have returned to them the authorities which they feel that they can administer to the best advantage of their ratepayers.

The matter of the telephone rate changes, I would think, would be the subject of a debate when this bill comes before the committee of the whole House. All I can say now is that I believe the hon. members will find that it is very much to the advantage of the municipalities in that under the procedure that is being recommended there will be more moneys available to the municipalities, which they will be able to use for their own purposes. At some time I was told that this government would make in the vicinity of $600,000 more funds available to the municipalities.

A question was raised about the solicitor's right to a hearing; this is currently being considered and examined by senior staff with a view to an amendment in the next session. This was asked by the member for Wentworth, I believe.

There was a question about the fire routes. At the present time, one of the difficulties is that cars parked in an improper place can only be towed away with permission of the owner of the property. This will remove that problem. We are taking the action that has been requested by municipalities who've had the problem. We are also following the lines of the requests of the professional firefighter's organization—I'm sorry, I can't remember the exact name of it—which has requested this type of legislation.

Regarding the matter of the control of sidewalks, this bill definitely will allow regulation of sidewalk sales.

There was the matter of mobile homes and trailers. I would certainly agree with the points raised by the hon. members who mentioned the problems in regard to the use of the word "trailer." All I can report is that this is being studied by a group composed of all the ministries that are involved with this problem, namely Transportation and Communications, Housing and this Ministry. A report is anticipated very soon, which I hope will allow legislation in the next session to look after this problem. But I definitely agree that there is a problem in describing these luxurious homes as "trailers."

There was the question of the payments in lieu and there is the $50 per resident place as a proportion of the tax that would normally be levied. This is difficult to estimate, as I'm sure the hon. members realize, because of the fact that the taxes are dependent on the mill rate and the value of the property. Thus the ratio would be different from municipality to municipality and as between types of institutions.

With regard to the licensing and assessment variation for the trailers, in some cases taxes will be more than licence fees. In others, they will be less. The intent is that mobile homes will be treated in the same manner as moderately priced conventional homes. There is no provision for interest on reapportionment pursuant to an OMB decision. This is consistent with the other OMB decisions with regard, for example, to school boards and regional apportionments, etc., for which there is no provision for interest. But I am certainly sure that—

Mr. Good: Well, that is wrong.

Mr. Beckett: Right—this can be considered.

Several members have mentioned the question of the control of taxis at the federal airport at Malton. I'm sure all members will recall that there was an announcement made by the federal minister, Mr. Marchand, and by the Minister of Transportation and Communications of an arrangement that had been worked out. One of the requests that group made was that the type of legislation that is before the House be presented for them. They feel that this will assist them in the proper control of the taxi situation that all members have made comment on. They are very anxious that this legislation should come through as soon as possible. The services of the Ontario Highway Transport Board have been offered by the Minister of Transportation and Communications to assist in this problem.

The reason for counties issuing the debentures on behalf of municipalities within their structure is, as the members have indicated, that obviously there will be a better rate available if there is a consolidation instead of a series of smaller issues. In answer to the points raised, in particularly by the hon. member for Thunder Bay, basically, this legislation has been produced in this manner to attempt to assist in the situation in northern Ontario. It's anticipated by the ministry officials that there are a number of organizations that will probably want to take advantage of this legislation.

Mr. Stokes: Beardmore and Nakina, to name two.

Mr. Beckett: To indicate very briefly, there are North Shore and White River, both in

Algoma; Balmertown, Barclay, Sioux Narrows, Kenora, Timagami and Nipissing, Manitouwadge, Nakina, Red Rock and Thunder Bay. If the hon. members have any others, I would appreciate them.

Mr. Stokes: Manitouwadge has already done it.

Mr. Beckett: I couldn't quite hear the other name that you mentioned.

Mr. Stokes: Nakina and Beardmore.

Mr. Beckett: Beardmore, thank you. I will certainly draw to the minister's attention and also to the attention of officials of the ministry the comments of the various members. The question was raised of speedy passage. I would certainly hope that other members will agree with this.

The member for Sandwich-Riverside asked a question that I am not able to answer, even though I was in Transportation and Communications as parliamentary assistant for nine months. But I think regardless of where the difficulty is on that problem of those dates—I think it was Sept. 18 and 19—we have the legislation now before us; hopefully that will clear that part.

Mr. Burr: Is the parliamentary assistant going to be able to extend it to the points I suggested?

Mr. Beckett: May I read the notes that I have been given?

> The Highway Traffic Act, as its name suggests, does and should deal only with the public highway. This is the policy of the Ministry of Transportation and Communications. We are trying to interfere as little as possible with private property rights, but this doesn't mean we are not going to take into consideration the comments made.

The one thing that I am sure the hon. membeir will agree with is that this movement of traffic really doesn't belong to this ministry. It should be in the other ministry.

That completes my remarks, Mr. Speaker, at this time.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand it's to go to committee of the whole House. Am I correct?

Agreed.

ROYAL ASSENT

Mr. Speaker: Before we proceed to other business I beg to inform the House that in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

The Clerk Assistant: The following are the titles of the bills to which Her Honour has assented:

Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Bill 176, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario.

Bill 177, An Act to amend the Highway Traffic Act.

Bill 181, An Act to establish the North Pickering Development Corp.

Bill 190, An Act to amend the Environmental Protection Act, 1971.

Bill 192, An Act to amend the Municipal Unconditional Grants Act, 1974.

Bill 193, An Act to amend the District Municipality of Muskoka Act.

Bill 194, An Act to amend the County of Oxford Act, 1974.

Bill 195, An Act to amend the Highway Traffic Act.

Bill 191, An Act to incorporate the Ontario Lottery Corp.

Clerk of the House: The fourth order, House in Committee of the whole.

MUNICIPAL ACT

House in committee on Bill 182, An Act to amend the Municipal Act.

Mr. Chairman: Does any member have any remarks on section 1 of the bill? If not, the parliamentary assistant has an amendment on section 2.

Section 1 agreed to.

On section 2:

Mr. R. B. Beckett (Brantford): Thank you, Mr. Chairman.

I don't believe, Mr. Chairman, that there is an amendment to the first section. I believe it's the second section.

Mr. Chairman: No, the first section has been dealt with and carried. This is section 2.

Mr. Beckett moves that the bill be amended by adding thereto the following section 248(a):

The said Act is amended by adding the following section 248(a): Notwithstanding any special provision in this Act, the council of every municipality may, subject to section 248, make grants to any person, institution, association, group or body of any kind, including a fund within or outside the boundaries of the municipality for any purpose that in the opinion of the council is in the interests of the municipality.

Mr. Beckett: This is the amendment, Mr. Chairman, that I mentioned in the opening remarks, which has been requested by municipalities. It gives to municipalities the ability to make grants to types of institutions that they feel are of merit. The problem at the present time is that there are some municipalities which do not have this ability, whereas their neighbours have it through a private bill.

Mr. E. R. Good (Waterloo North): Mr. Chairman, I wonder if we could have a copy of that amendment? What concerns me is that it says "notwithstanding section 248," and that's the section that deals with municipalities, isn't it?

Interjections by hon. members.

Mr. Good: Okay. Now you are not saying by this that municipalities can go out and lure industry by giving them free land and that sort of thing, are you? I just wanted to get that point straight.

Mr. Beckett: Section 248 states: "Notwithstanding any general or special Act, a council shall not grant bonuses in aid of any manufacturing business or other industrial or commercial enterprise."

Mr. Good: Do I have that assurance, Mr. Chairman? Maybe I can see the minister's officials.

Mr. Beckett: You have the assurance, because it certainly would not be the policy of this ministry to permit what you are suggesting might be the result.

Section 2, as amended, agreed to.

Mr. Chairman: Anyone on any section previous to section 6?

Mr. F. Young (Yorkview): On section 5, Mr. Chairman.

Sections 3 and 4 agreed to.

On section 5:

Mr. Chairman: The hon. member for Yorkview.

Mr. Young: I want to ask the parliamentary assistant as to whether there is any indication of time. There doesn't seem to be any here. That is, this thing could go on forever if foreign exchange fluctuates, if the credit balance becomes rather marked in any one account and the exchange remains in favour of the municipality, or perhaps it fluctuates very slightly on the other side. Does this fund go on forever? Is there no termination date when some adjustments might be made, or can the adjustment be made with the permission of the minister?

Mr. Beckett: It is my understanding, Mr. Chairman, that that clause is withdrawn.

Mr. Young: Withdrawn?

Mr. Beckett: There is a substitution.

Mr. Young: I must have a wrong copy of the bill then.

Mr. Beckett: I am sorry. I couldn't hear which one you meant. What was the number?

Mr. Young: Section 5, that's in connection with the premium received on currency. Whatever premium there is must be set aside in a special fund to offset any decline on the other hand, if such should occur. My point was simply that it may be that the fluctuation of currency may be very much to the advantage of a municipality for some length of time and there may not be any draw on that particular account for some years. I wonder whether there might be some provision by which, with the permission of the minister, those funds might be transferred.

Mr. Beckett: Mr. Chairman, I apologize. I misunderstood the section. This will provide that any premiums that may be received on such currency that is not required to pay the cost of work authorized under the bylaw, and charges incidental thereto, shall be set aside in a reserve fund to be used to pay the premium on the annual payments of principal and interest on the debentures, and this is in keeping with the ministry's policy of increasing municipal authority.

Section 5 agreed to.

On section 6:

Mr. Chairman: The parliamentary assistant has an amendment on section 6, subsection 2.

Mr. Beckett moves that section 304 of the Act as amended by subsection 2 of section 6 of the bill be further amended by adding thereto the following subsection:

For the purposes of subsection 3(a), the designation by the Lieutenant Governor in Council and a determination by the Minister of Community and Social Services mentioned in that subsection made in 1975 shall apply in respect of 1974 and a levy may be made in 1975 in respect of both 1974 and 1975 upon such designated facilities.

Mr. Beckett: This amendment, Mr. Chairman, provides that there is retroactivity and it also brings in the Developmental Services Act in respect of the year 1974. This amendment will provide that the power of municipalities to levy an amount against an institution under the Developmental Services Act—in other words, institutions for mentally retarded persons—will extend to levying an amount in respect of the year 1974.

Section 6, as amended, agreed to.

Mr. Chairman: Any comments on any other section before section 21 of the bill? The parliamentary assistant has an amendment on section 21.

Mr. J. A. Renwick (Riverdale): My colleague has an amendment to section 14.

On section 7:

Mr. Chairman: The hon. member for Yorkview.

Mr. Young: Could we ask for clarification of section 7, as to what telephone companies are meant here: "... exempts from the tax traffic agreement, revenue involving two companies, each of which has multiple traffic agreements"? I'm not just sure I understand what is involved here.

Mr. Beckett: Mr. Chairman, there are many private telephone companies in existence in the province. In the event that I was to be in one of the areas serviced by a private company and I wished to place a long-distance phone call, it would go out of the independent company's area into Bell system—or in some parts of the province it would go into the Ontario Northland system. It is for these traffic agreements between these two companies that we are now suggesting taxing authority, so that some of their gross receipts will now be taxable in such a manner as to bring a benefit to the municipalities within the area served by those private telephone companies.

Interjection by an hon. member.

Mr. Beckett: It will mean, if our estimates are correct, that the current amendments will make Bell and Ontario Northland taxable on their traffic agreement receipts from independent companies, and will add $500,000 and $100,000 respectively to the tax bills of the companies. It is important that these taxes be paid to the municipalities in which they were generated.

Mr. Young: All right. Thank you very much.

Section 7 agreed to.

Sections 8 to 13, inclusive, agreed to.

On section 14:

Mr. Chairman: The hon. member for Sandwich-Riverside.

Mr. Burr moves that 45(a) of section 14 be amended by adding the following words after the word "thereof": "and that the provisions of the Highway Traffic Act shall apply to any private roadways so designated."

Mr. Chairman: Have you anything you would like to speak to?

Mr. F. A. Burr (Sandwich-Riverside): Well, I could explain. I think I probably explained already that we would like to see the municipality, if it so desires, give the police the right to enforce speed limits in shopping malls, and have any traffic collisions reported. At present, because these collisions take place on private property, it's not essential that they be reported. This amendment would have two advantages: It would require that all collisions be reported on these private roadways, and the police of the municipality would be able to enforce any speed limits that were posted.

Mr. Beckett: Mr. Chairman, I don't argue with the intent of the hon. member's amendment, but I would respectfully suggest to him that there are other pieces of legislation which would be much more suitable for that type of an amendment than this Municipal Act, because this amendment basically is the one that gives municipalities the rights to prohibit parking on private property and to tow away vehicles, and so on.

I would be very pleased to recommend to the minister that this be processed to a ministry that could handle this problem more adequately than in this particular Act, because, we deal very little with police

other than authorizing police commissions, and so on.

Mr. Burr: Does the parliamentary assistant mean that he would refer this back to the Transportation and Communications ministry?

Mr. Beckett: I would be very pleased, sir, if you would—

Mr. Burr: With favourable comment.

Mr. Beckett: If we could get together and write out something, I would be delighted to present it to the minister, with the recommendation that this would be processed. It wouldn't be the policy field, as the hon. member has mentioned, not this policy field.

Mr. Chairman: Does the member wish to withdraw his resolution in view of what the parliamentary assistant has suggested?

Mr. Burr: Well, I suppose I have made my point. Thank you.

Section 14 agreed to.

Mr. Chairman: Does any member have anything before section 21 of the bill?

Sections 15 to 20, inclusive, agreed to.

On section 21:

Mr. Chairman: The parliamentary assistant has an amendment on section 21.

Mr. Beckett moves that subsection 1 of section 21 of the bill be struck out and that subsections 2, 3 and 4 be renumbered as subsections 1, 2 and 3 respectively.

Mr. Beckett: The reason for this amendment, Mr. Chairman, is that in 21(1) it was hoped to provide an answer to the problem of indication of school support. We thought we had the remedy by indicating "the index book shall take precedence."

Representations have been made to the ministry by the Ministry of Education, which has received representations from school groups who are not satisfied with the solution that we have presented here. They asked of the Minister of Education (Mr. Wells) that they be involved in further discussions in an attempt to come up with a solution to this problem, a solution they think likely to be more successful than what we have here.

At present, persons wishing to indicate where their school support should go, can go to their municipal clerk's office where duplicate forms are provided for them. They complete the forms; the clerk notarizes that he has received the forms; they receive copies back; and the information as to their wishes is recorded in "the index book".

There is also a problem when enumeration takes place by the assessment persons—many people are not home when the official calls, and for some reason do not return the information. So the assessment roll could get out of date. With the index book system we thought we had the answer, because this is where people actually come and made their wishes known. But it has been requested that this be withdrawn and be reintroduced when a more satisfactory solution to this problem is arrived at by the various ministries concerned.

Mr. Chairman: Shall section 21 stand as part of the bill, as amended?

Mr. Good: Mr. Chairman, if I could make one comment?

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: Mr. Chairman, it is too bad you haven't got the problem solved because it has been of great concern. I understand some school boards have hired a full-time person who does nothing else but try to gain more assessment for that particular board, which means the other school board in the area has to hire another full-time person to check the work done by the first. It's a real dog-and-cat game going on with each of the two school boards trying to make certain of the accuracy of the assessment roll as it relates to school support. I do hope you find some good solution to keeping that index book up-to-date as it relates to school support.

Mr. Chairman: The hon. parliamentary assistant.

Mr. Beckett: Mr. Chairman, what the hon. member has indicated is true but I think he must not forget that the onus is on the individual to indicate his support. The mechanism is there. I know there is no question about it, that a part of the problem is the person not doing this. I would presume it is something like the dog-tag business in municipalities. People ignore it as long as they can.

Section 21, as amended, agreed to.

Mr. Chairman: Does any member have any comments on any section before section

25? The parliamentary assistant has an amendment on section 25.

Sections 22 to 24, inclusive, agreed to.

On section 25:

Mr. Beckett moves that section 25 of the bill be struck out and the following substituted therefor:

25 (1) This Act, except subsection 2 of section 6, subsection 4 of section 14, and sections 18 and 20, comes into force on the day it receives royal assent.

(2) Subsection 2 of section 6 shall be deemed to have come into force on Jan. 1, 1974. Subsection 4 of section 14, and section 18 shall be deemed to have come into force on Jan. 1, 1975. Section 20 comes into force on Jan. 1, 1976.

The reason for this, Mr. Chairman, is to make sure that these various amendments will come into force at these particular times, because, as you will recall as we've gone through the bill, there is retroactivity in some cases and there are projections forward in regard to new county apportionment, for example, under section 20 of this bill which will come into force for the 1976 taxation year.

Section 25, as amended, agreed to.

Section 26 agreed to.

Bill 182 reported.

UNFAIR BUSINESS PRACTICES ACT

House in committee on Bill 55, An Act to Prohibit Unfair Practices in Sales to Consumers.

Mr. Chairman: On Bill 55, section 1, does any member wish to speak? The hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, I have two or three points to make on section 1 of the bill. It's an important section because it contains, of course, the definition clauses.

My first question is a technical one of legal draftsmanship. When we were in the standing committee on the administration of justice there was included in section 1 a definition of the term supplier. That definition of the term supplier was eliminated in the bill as it appears before this committee, which as noted on the front, is reprinted as amended by the administration of justice committee.

The reason I raise the question is not concern because of the elimination of the definition of the word supplier, but because in the committee we had provided in item (b) on the definition of consumer the following words, "consumer means." Then we were to insert the word "natural" before the word "person"; and that is in the bill which is before us for consideration. After the words "natural person," there was to have been a clause "to whom a consumer representation is made but," and deletion of the words "other than a corporation."

That may sound like gobbledygook to those who weren't in the committee, but I take it that it is now no longer necessary to have the words "to whom a consumer representation is made but," because of the elimination of the word "supplier." I assume that to be so, but I would like the record to show that is the reason the particular wording that was agreed on in the committee was altered in the revision.

To put it succinctly, those words "to whom a consumer representation is made but" are no longer a necessary ingredient of the definition in item b of section 1 of the word "consumer," because of the elimination from section 1 of the definition of "supplier" which formerly appeared.

That's my first point and perhaps it would make sense to deal with them one at a time.

Mr. F. Drea (Scarborough Centre): That was the intention and it was subject to draftsmanship at the time. That was the intent.

Mr. Renwick: I'm satisfied. I just wanted the record to show that was the reason for it.

Mr. Drea: I would like to say to you that I think one of the things that should be brought out at this particular time is that a great many of the changes that were made were made on the condition of being subject to the approval of the draftsmanship.

Mr. Renwick: I understand that and as usual I bow to the drafting skill of the legislative council.

I would like to refer to clause f of section 1, which is the definition of the term "goods". We are talking about a consumer bill, a bill to protect consumers. The bill is entitled, An Act to Prohibit Unfair Practices in Sales to Consumers, and I would have assumed we would want to use language that was meaningful to a person who was a consumer and who was not a lawyer by profession. I think most consumers are not lawyers.

I find it extremely difficult to suggest that the words "chattels personal," as it appears in the definition, which is a very technical legal work of art, is meaningful to the citizens of the Province of Ontario. I think if you ask somebody what was a "chattels personal" he would have some difficulty in indicating what it was. I think he might perhaps think his automobile was a chattels personal, but I don't think he would get there by direct use of the English language as we understand it.

Mr. Renwick moves that clause f of section 1, Bill 55, be amended by deleting the words "chattels personal" in the first line and substituting therefor the words "tangible personal property;" and by deleting the words "chattels" in the third line and substituting therefor the words "tangible personal property."

Mr. V. M. Singer (Downsview): The object is that the uninitiated can more easily understand.

Mr. Renwick: I think the word "tangible" is an English word which is knowledgeable. I think personal property is something which a person can relate to. I find it difficult to suggest that the jargon of the law is ordinary, everyday language but I suggest it is more in the nature of ordinary, everyday language than the phrase "chattels personal". Therefore I make that amendment.

Mr. R. F. Ruston (Essex-Kent): Chattels were always used on the farm.

Mr. Renwick: I would be quite prepared to stack that particular amendment without requiring a division of the committee at this time.

Interjection by an hon. member.

Mr. Chairman: Does the parliamentary assistant wish to comment before I read the amendment?

Mr. Drea: Mr. Chairman, I got the first part of the amendment, but there was a bit of chatter on the second part. I wonder if I could hear the second phase?

Mr. Renwick: The chairman will read it.

Mr. Chairman: Mr. Renwick moves that clause f of section 1 of Bill 55 be amended by deleting the words "chattels personal" in the first line and substituting therefor the words "tangible personal property"; and by deleting the word "chattel" in the third line and substituting therefor the words, "tangible personal property".

Mr. Singer: But he was deleting more than just the word "chattels", it is "chattels personal".

Mr. W. Ferrier (Cochrane South): Are you in favour of that one, Vern?

Mr. Drea: Mr. Chairman, throughout the committee hearings the member for Riverdale raised in a general way this particular change, that an Act dealing with the consumer should have language readily understood by the consumer. However, and I suggest this with all due respect to the member for Riverdale, just going over to the next page and getting into definition i, the introduction of that three phase definition of services put an enormous burden upon the definition of goods. It seems to me, it was the intent of the committee that the definition of goods would be a most specific one and that that is why it was drafted in that particular legalistic way. I would also suggest to you that the words "tangible personal property" have no traditional judicial meaning.

Mr. Renwick: Yes they do.

Mr. Drea: The other argument, and this was raised at the particular time, is that the words "tangible personal property" have associations—

Interjection by an hon. member.

Mr. Drea: —with the administration and the collection of retail sales tax. These arguments were brought up at the time and much as the committee would have liked to use common language throughout in this bill, on this particular definition it was the intent of the committee that the definition of "goods", because of the implications in it, should be a very specific legal definition. Therefore I am not prepared to accept the amendment.

Mr. Renwick: I didn't expect that the minstry would accept it. I suppose the outcome will be that we will lose that amendment and the consumers of the province will lose again.

Mr. Drea: With all due respect to the member for Riverdale, I fail to see how—

Interjection by an hon. member.

Mr. Drea: —the consumer is going to lose again with a specific definition. I would think the consumer might lose with a nice

little piece of vernacular that says "tangible personal property" which has to go all the way through the whole court system for a definition.

Mr. Renwick: I'm just delighted, because that just put a little fire and life into this debate. It was a bit languid up to now.

Mr. Singer: You will hear about this on the hustings.

Mr. Ferrier: Lot of fire and not too much light.

Mr. Renwick: I think we can now get down to some meaningful remarks. I am very much concerned about the meaning—

Interjection by an hon. member.

Mr. Singer: What about your earlier remarks?

Mr. Renwick: —of the ambit of the definition of the word "services". The members of the committee will recall that in the original version of the bill, even though it purported to deal with goods and services there was a definition of goods but no definition of services. In committee, after some prodding, the ministry came to the conclusion if it was related to goods and services that some effort should be made to define services. Then they defined it in a way which, even though it's language which is used on the other side of the Rockies, I believe it is rather meaningless in its ambit and leaves much to be desired in precision. I find it difficult that "services" mean services, particularly "provided for social, recreational or self-improvement purposes" or "that are in their nature instructional or educational." I find that is rather meaningless language. I am not quite certain what its origin is, but my recollection is that it is taken out of the British Columbia statute.

I think it's inadequate. I don't think it clearly covers the kinds of services that could be designated as professional services. I think it's very important that the bill extend to professional services.

Mr. J. E. Stokes (Thunder Bay): Especially lawyers.

Mr. Singer: At least that!

Mr. Renwick: It may be argued that it would apply to professional services in respect of goods or in respect of real property, but there are many other kinds of services which are rendered by persons who are professionals that are not in respect of goods or of real property. It doesn't seem to me that they are covered under the two clauses which follow that clause to which I have referred earlier. I therefore believe it is most essential that the courts know what we intend about services.

Mr. Renwick moves that clause i of section 1 be amended to read as follows: "Services means services of every nature and kind, including without limitation services provided in respect of goods or of real property."

Mr. Chairman: Before the chair puts the amendment, perhaps we should deal with the previous amendment. I was allowing the discussion to continue, feeling there was interrelation between clauses f and i. Perhaps we should deal with Mr. Renwick's amendment to clause f.

Mr. Renwick: Perhaps, Mr. Chairman, we could stack these.

Mr. Chairman: We are going to have a voice vote.

All those in favour of Mr. Renwick's amendment to section f will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

It is my understanding then that we will stack any votes.

Mr. Renwick: If we follow the whole procedure.

Mr. Singer: You haven't been around here long enough to.

Mr. P. D. Lawlor (Lakeshore): He'll get used to it.

Mr. Stokes: Why don't you go back from whence you came?

Mr. Renwick: It's going to be hard on my colleague to keep them in the House all this time.

Mr. Chairman: Clauses g and h will carry. On clause i we have the amendment by Mr. Renwick. Is there any further discussion on the amendment? The hon. member for Lakeshore.

Mr. Lawlor: Certainly my colleague was right in committee, which lasted for about two solid weeks of much mumbo jumbo and turbulence—

Mr. Stokes: And foofaraw.

Mr. Lawlor: As my friend says, foofaraw. At any rate, it was necessary to insert the wording. The language that we did finally insert is not taken from the British Columbia

legislation, which defines services as meaning "services that are the subject of a consumer transaction, either together with or separate from any kind of personal property, whether tangible or intangible." The Alberta legislation, however, has substantially the same definition that we incorporated here.

Mr. Renwick: Oh it's Alberta.

Mr. Lawlor: Yes, the two clauses having to do with "recreational" and the third one having to do with "instructional" and so on, are taken as written from the Alberta legislation. The first clause, though, which may be a moot one, is not identical to what is in the Alberta legislation, which refers to "services provided in respect of the maintenance or repair of goods or of personal property used as a private dwelling by an individual." They have narrowed and delimited it and expressly excluded real property with respect to a whole dimension of services which otherwise might have affected it.

If the parliamentary assistant subsequently decides to do something about the clause that is giving us all the difficulty, at least from a public impact point of view, namely section 6, I believe—

Mr. Drea: Section 5.

Mr. Lawlor: —section 5, having to do with real estate firms; if it is his intention to alter that in any way at all, then I suggest that from his own point of view the definition of services as set out here cannot stand.

Well he wags his head, and I would be interested to listen to his nice points.

Mr. Stokes: He agrees with you.

Mr. Lawlor: Oh he agrees?

When this legislation was first passed in the United States, when it first had an impact upon other jurisdictions in this country and elsewhere in the world, the legislation was basically designed to touch merchandising in all of its phases and amplitude.

There's no doubt that the vigorous imagination of my colleague—I say "vigorous imagination" because he sees the virtue and the potency of the legislation as being able to extend to the whole dimension of services; in other words, to cover the waterfront in one fell swoop with this bill. It's a good idea. It's a thing that can be done. And it would be precedent-setting to attempt the full amplitude of the possibilities of legislation of this kind.

However, if I may say so, the definition of services as contained in the bill is ambivalent: it reaches too far and yet doesn't reach far enough.

Either you come down on a restricted definition with respect to the merchandising field as such or you go the whole hog and join forces with my colleague from Riverdale on this matter and cover the full amplitude of every possible service. You must do one or the other.

We are prepared to go the second route in the matter. I am most intrigued to see just which way you are going to go down the flue.

Mr. Chairman: The hon. member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Mr. Chairman, as I read it, the amendment proposed by the member for Riverdale is all-encompassing, which is not the case in the Act that has been presented to us and read at this juncture. If it is the intent of the amendment to include all professionals in this legislation, I would take it that this was not the purpose of the original bill.

It is my respectful submission to the Chair, and to my colleagues here, that the individuals who may well be involved with this type of legislation could include doctors, architects, lawyers and so on. I am not sure if those professionals were advised that the legislation would apply to them or if they were given an opportunity to make any representation before the standing committee. As I recall the original legislation, the word "services", or whatever definition you had at that time, would not have included their services; therefore, they felt they would not be affected by this legislation.

I am not saying that these individuals should not be included, Mr. Chairman, but if they are going to be included—especially when one considers the way we draft legislation and the problems we sometimes have because our legislation is drafted in haste or without sufficient debate or public input—then the various professionals who may well be included should be given an opportunity to make some representation to the committee.

Mr. Renwick: They had plenty.

Mr. Roy: I'm not sure they have, because originally they were not included in the legislation.

Mr. Renwick: They were before the committee in force.

Mr. Roy: So what I—

Mr. Lawlor: The advertising industry, the insurance industry, the aircraft industry.

Mr. Roy: The doctors, the architects, the chiropractors, all these people made representation to the committee? That was not my—

Mr. Renwick: Are you saying they should be permitted to engage in unfair sales practices?

Mr. Roy: No, I'm not suggesting that at all.

Mr. Singer: Oh come on!

Mr. Roy: I'm suggesting, Mr. Chairman, that if we have a standing committee and present a piece of legislation and advise certain groups they may well be affected, and then we come into committee of the whole and make an amendment encompassing a whole series of other professionals who were not advised, I think it is highly irresponsible of us to do so.

Mr. Good: How are you going to back out of that?

Mr. Roy: As much as I want to—

Mr. Renwick: What a pass, that we should advise the professionals.

Mr. Roy: Look, I didn't interrupt you. I would like to support your amendment.

Mr. Renwick: Isn't that interesting?

Mr. Chairman: The hon. member for Ottawa East has the floor.

Mr. Roy: All I'm saying, Mr. Chairman—and if my colleague the member for Riverdale would just sit and listen; I listened to him—is that I appreciate the intent of the legislation.

Mr. Renwick: Mr. Chairman, the point I'm trying to make is that as I read the amendment it says "services shall include services of every nature and kind." That is pretty wide. Some of these professionals, Mr. Chairman, have their own associations. We just passed a number of amendments covering doctors under the Health Disciplines Act to deal with certain infringements or practices which were not worthy of that particular profession. They have discipline committees and all of this.

I'm not saying it is not a better way of dealing with them, but the fact remains that if we are responsible here and if we are going to pass legislation affecting all of these professionals, I'm suggesting we should listen to them and get some public input.

I can't see how we here today—at least I for one—I don't see how I could responsibly support this type of amendment without at least giving these individuals, these various professionals an opportunity to make comment and to see how it may well affect their services or their professions. I think it would be patently unfair and not at all responsible.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: I was interested in the comments made by the hon. member for Ottawa—

Mr. Roy: East.

Mr. Renwick: —East. It's quite interesting that before the House of Commons in Ottawa at this time is Bill C-2 extending the Combines Investigation Act, which is a far more all-embracing bill and a far more punitive bill, being part of the criminal law, than this bill is to services.

Mr. Roy: In fact that bothers me, considering what we're passing.

Mr. Renwick: While there is no magic in words, I could have adopted and perhaps should have adopted in my amendment to the definition of services the proposed definition in Bill C-2 to amend the Combines Act. Because by that definition service means a service of any description, whether industrial, trade, professional or otherwise.

Mr. Roy: And includes all professionals.

Mr. Renwick: That's right. No question about it whatsoever. Now I don't think any notification was given by the Parliament of Canada—

Mr. Roy: It certainly was.

Mr. Renwick: —which I understand is the Liberal Party government.

Mr. Roy: It certainly was.

Mr. Renwick: A notice was sent out to each of the professions telling them about it?

Mr. Roy: All the professions were advised of this and they have all made representation.

Mr. Renwick: About services? Yes, the professions?

Mr. Roy: That's right.

Mr. Renwick: They didn't get specific letters from the minister responsible for the bill.

Mr. Roy: I don't know how the notice was given.

Mr. Renwick: There was immense notoriety about the extension of the bill to services.

Mr. Roy: Well your comparison is unfair. That bill has been before the House for about two years.

Mr. Renwick: Well this bill I'm talking about hasn't been before the House for two years. This bill was introduced on Oct. 2, 1974.

Mr. Roy: There was a white paper on that.

Mr. Renwick: Of course; I've got most of them here, somewhere. All I'm suggesting is that the reasons which were given by the Consumers Association of Canada before the standing committee on banking, trade and commerce on Dec. 18 in Ottawa seemed to apply singularly to what we are talking about in this bill; that is if we are interested in the consumer protection aspect of this bill. If we are interested in limiting its scope in order to protect specially-privileged groups, then of course that's a different purpose.

Mr. Roy: Mr. Chairman, on a point of privilege.

My colleague, the member for Riverdale, keeps misinterpreting the intent of my objection. I want to protect the consumer as much as he does. As a practising lawyer I think I have prosecuted more cases under the Combines Investigation Act in favour of the consumer than possibly he has.

But the point is simply this: If we are intent on having these professionals affected by this particular legislation—and it may well be that we want to, and I would have no objection to it—all I am saying is that the original bill did not say so and they were not advised. Surely if we are going to be responsible let's advise them. What is there to lose?

An hon. member: Some representation.

Mr. Roy: What I am saying is very simply that I want to protect them. I am saying that the way you are doing it is unfair and not responsible.

Mr. Renwick: Mr. Chairman, this is almost ridiculous. There are literally hundreds of bills that come before this assembly which affect the people of the Province of Ontario; and we don't send every citizen of the province of Ontario a registered letter advising him there is a bill before the assembly to amend the Municipal Act. Now let's not fool around.

Mr. Roy: You're doing it.

Mr. Renwick: We sat in that committee, as my friend said, for a long period of time dealing with this matter and there were representatives of various vested interests before it. They had a single tune that they were playing. They all agreed the principle of the bill was excellent, just so long as it didn't apply to their particular vested interest group. That's what took place, and those were the preparatory words.

Now I am simply saying that particularly in the case of professionals, the consumer relies on the professional. He goes to the professional because it is a field in which he is not versed. Therefore he is singularly dependent on the professional for the advice he gets and he is entitled to the same protection as a person is who is buying an automobile or any other piece of tangible property—about which, incidentally, he may know a lot; but you do not know very much, usually, about services by a particular professional.

I thought it was such a good statement of the point that I jotted it down from he proceedings before the banking, trade and commerce committee in Ottawa.

> The client does not normally know what he needs and relies on the professional to diagnose the situation and satisfy the need. The importance of that is critical. That is why integrity is so important in the professions.

I understand my friend, the member for Ottawa East. He says we shouldn't do it now, we should do it next year.

Mr. Roy: I am not saying that. I am saying very simply that if we are going to do it, we must be fair with them. I am in agreement with you that the professionals don't have a status superior to any other person supplying services. I am saying the original bill does not include them. Your amendment now includes them. We want public participation in legislation, why don't we advise them?

Mr. Renwick: That is not so. The word "services" was in the original bill, it just wasn't defined. There was no definition of the word services, so in all likelihood it was covered under the original bill as it was originally presented. Now we have a restricted—

Mr. Roy: Not the way I read it.

Mr. Renwick: Well there was no definition in the original bill.

Mr. Roy: Well when they talked about suppliers helping out, it included professionals.

Mr. Renwick: No, it talked about the provision of services. That's all it talked about. All we said was we wanted definition. All we are objecting to is a restricted definition; we want a broader definition. I want to make certain that the professionals are covered by it. There is absolutely no reason why they should be exempt from the provisions of the bill.

Mr. Roy: I agree with you.

Mr. Renwick: I think they had ample notice because my friend says that Bill C-2, or its predecessor, was before the House of Commons a long time ago.

Mr. Roy: It has been talked about for two years.

Mr. Renwick: I think I have here somewhere the original bill as introduced by this government, and I think it was some considerable time ago. I think many people were well aware of what was taking place in connection with the bill.

Well I'll leave it at that. I think the definition should certainly cover it. I think so far as draftsmanship is concerned, I would accept the definition in Bill C-2, if for no other reason than for purposes of uniformity, as being an equally adequate definition of the term "services".

Mr. Chairman: Mr. Renwick has moved an amendment to clause i. Does the parliamentary assistant wish to comment?

Mr. Drea: Thank you, Mr. Chairman. Going in reverse order, the question raised about professional services by the member for Ottawa East is quite correct. When this bill was introduced there was no intent to cover professional services. At this present time, even with a revised definition of "services", there is no intent to cover professional services.

Mr. Roy: It changes your intent.

Mr. Drea: I'm talking about the intent of clause i at this time.

Before we get into this thing as to who who is the best friend of the consumer, I point out that to bring in coverage of professional services under this bill would either make this section, or those in the various Acts and statutes that cover discipline of the professional societies redundant.

It is all very well to read a definition that people put forward in support of Bill C-2 in the federal House. There are adequate provisions for the integrity of a solicitor, of a physician, of a dentist and a great number of other professional groups.

Mr. Renwick: There are not.

Mr. Drea: There certainly are.

Mr. Renwick: There are not.

Mr. Drea: Without being a solicitor I would say to someone I think is a very distinguished solicitor that if a person goes into a law office—

Mr. Renwick: I mean that is the height of the debate.

Mr. Drea: —and receives an exorbitant bill for the amount that is done, he has provisions through the taxing office to have that bill reduced, or in fact eliminated. That is there.

In any event, the member for Ottawa East is quite correct. It wasn't the intent then and it is not the intent now in clause i. I am not going to accept that amendment.

Second, to come to the member for Lakeshore, I'm a little concerned about his difficulty in grasping the implications of the words "real property" in that definition. If he will recall, during the committee the insertion of those words, was by intent, and by draftsmanship, not to cover the sale or the transfer of real property but to cover renovations and so forth that were done.

Mr. Renwick: Oh I can hear it coming now. Are we amending section 5?

Mr. Drea: When we get to section 5, we will get to section 5.

Mr. Renwick: Yes, but this is your version of what was intended in the committee. We were members of the committee; perhaps we can speak for the committee, you were but the parliamentary assistant carrying the bill.

Mr. Drea: That's right.

Mr. Renwick: We know what we amended in committee and what we intended to cover—

Mr. Singer: Is that the royal "we"?

Mr. Renwick: —exactly what we had to.

Mr. Drea: Not in this definition; and I say that with the greatest of respect, not in this definition. The words "real property," and I refer you to the specific intent of clause i, under that definition "real property" has no connection whatsoever with the sale or transfer of real estate. Its only connection concerns renovations, repairs, fixtures and so forth; that was very clear in the committee.

Mr. Renwick: It was not.

Mr. Drea: It certainly was.

Mr. Renwick: Not your version.

Mr. Drea: It certainly was; it was a very clear and specific intent.

Interjection by an hon. member.

Mr. Renwick: It was so clear that we put in section 5, that you're going to take out.

Mr. Drea: It was so clear that we put in section 5; one of the reasons section 5 was put in—

Mr. Renwick: Let's deal with section 5 when we get to it.

Mr. Drea: Yes, we'll get to it.

Mr. Renwick: You're jumping around from section to section.

Mr. Drea: You keep interjecting a little bit. Section 5 was put in because, if you'll remember correctly, you were one of the people who said there was no reference to the transfer of sale of real property, even within the amended definition of services. It pertained only to renovations—and let the record say that.

Mr. Renwick: That is not correct.

Mr. Drea: That's right. Now, in terms of what the member for Lakeshore suggested—

Mr. Lawlor: You have got a distorted view of reality. It was because we expended the definition to services that you got into that difficulty.

Mr. Chairman: Order please, the parliamentary assistant has the floor.

Mr. Renwick: Let's go back to standing committee.

Mr. Lawlor: Mr. Chairman, he can't go construing these clauses any damn way he pleases. It is not what he says, It's what the courts will decide they say.

Mr. Chairman: Order please, let's get back to subsection i. The parliamentary assistant.

Mr. Drea: The member for Lakeshore knows it, if he was there when that particular definition was made.

Mr. Lawlor: It won't mean what you say it means.

Mr. Singer: He isn't going to win this amendment, I don't think.

Mr. Chairman: Order please.

Mr. Drea: The member for Lakeshore raises the question as to whether this legislation particularly applies to the mercantile field. If I recall it, that was the thrust of his argument.

The intent of this legislation has always been that it applies primarily to the mercantile field. That was quite clear in the opening statement by the minister when it was introduced. It was quite clear in the comments of the minister while he attended the standing committee, and I think it's been quite clear from the many remarks that I made in the standing committee. So I put his mind to rest on that.

Coming back to the amendment, the difficulty with this amendment is that it would go far beyond the intent of the Act. It would put every conceivable service, including opinions and a great number of intangible things, within the scope of this Act.

Mr. Renwick: Of course. Do you think that they are entitled to protection against unfair practices, or not?

Mr. Drea: I think that anybody is entitled to protection against unfair practices, but—

Mr. Renwick: All right then, let's put it in.

Mr. Drea: —but there are more appropriate places to put in that type of protection then within the scope of a business practices Act.

Mr. Renwick: This Act is an Act of general application.

Mr. Drea: This Act is an Act of general application as it relates to the marketplace. With all due respect, I suggest to you that the very specific professional services you mean, are hardly within the scope of the ordinary marketplace. There are already, through a great number of other statutes—none of which to the best of my knowledge are administered by this minister—a great number of detailed and specific remedies for

consumers who feel that they are wronged. On that basis, Mr. Chairman, I would refuse to accept the amendment.

Mr. Renwick: I was going to suggest we divide, but that would take us till 6:30. By the way, what time is 6 o'clock on the Celsius scale, anyway?

Mr. Chairman: Does the hon. member for Riverdale wish to speak further on his amendment, or shall we take the vote?

Mr. Renwick: Yes I do, Mr. Chairman.

Mr. Singer: In case you think that clanging is a coincidence, it isn't.

Mr. Renwick: The importance of this debate on this question of services is because it deals with the ambit of the bill, there is no question about that now, just as there are laws of general application, such as this law, there is no reason for excluding from it any person who provides any kind of service or supplies any kind of goods. No reason whatsoever.

The parliamentary assistant's argument is that because there is a special Act governing the Law Society of Upper Canada and the medical profession and the chiropractors and the auctioneers and the real estate and business brokers and a number of other areas such as that, and the insurance industry as such, we do not need to protect the consumer from those persons who, while they may be of professional status, engage in the kind of activities which are referred to as unfair practices in the bill which we have before us. There is no logic for saying that a member of the legal profession, the accounting profession, the medical profession, the architectural profession or any of the other professions should be exempted from the requirement not to engage in unfair practices.

The protection we are trying to give to the consumer here should be given to the consumer against the professional who engages in the unfair practices which we are endeavouring to prohibit. That's the argument and it's quite simple. You cannot take away from that argument without limiting the protection of the consumer. And the consumer will be less well protected to the extent that you delimit the meaning of the word "services"; to delimit it, as it comes across to me in the response by the ministry, means in terms of the vested interest groups. Whenever the consumers run into the vested interest groups with this government, the consumer generally loses. And that's what this ministry is trying to do in this bill.

The argument is unanswerable that professional services must be rendered by persons who eschew, stay away from or do not engage in false, misleading, deceptive or unconscionable consumer representations with respect to their services. It is equally important because the professional is in a relationship of utmost good faith, and therefore the consumer must have the benefit of the protection of this Act. This is fundamental to the nature of the bill.

Mr. R. G. Hodgson (Victoria-Haliburton): Do you want the lawyers under this?

Mr. Renwick: The parliamentary assistant may say that it was never their intention to cover services by professionals, but that was never said when the bill was introduced. There was no statement to that effect; there was the broad word "services". The parliamentary assistant is endeavouring to rewrite history in the way in which he interprets the Act.

Mr. Drea: That was your game.

Mr. Renwick: All right. We are going to spend a little bit of time on it, because I'm not going to allow the ministry to get away with the suggestion that the original bill, in its text, did not cover professional services. And the parliamentary assistant is saying that it excluded professional services.

Mr. Drea: No, I didn't.

Mr. R. G. Hodgson: Do you want the lawyers under this?

Mr. Renwick: Well, he is saying it was not intended to cover them.

Mr. Drea: The intent was not to cover them.

Mr. Renwick: There was no such statement. The bill itself contained the word "services" when it was introduced. The definition of "supplier" was not limited to goods and the definition of "consumer representation" was not limited to the recipient of goods. It was to provide for services. Anybody who rendered a service would have come under the original bill. That's why I say, with the greatest deference to the parliamentary assistant, we are not going to have this record pretend to show something different than what the original bill said.

Mr. Drea: You have already done that.

Mr. Renwick: What you have done is to delimit—

Mr. Drea: No, I haven't.

Mr. Renwick: —the extent of the bill as originally introduced. I would rather go back and delete the definition of services and let it ride just on the word "services," because then it would apply to all professional services of every nature and kind. There is no way in which it wouldn't apply.

Mr. Drea: Well, I am glad of the opportunity to respond because first of all, let's make the record entirely correct. When we are talking about professional services, I am not talking about anyone covered by a regulatory Act that is now enforced by this ministry. There are no exclusions or exemptions simply because you are in a field that is already covered by a specific regulatory Act.

Mr. Renwick: They're not covered by any regulatory Act whatsoever.

Mr. Drea: My friend, you used the words real estate and business brokers and you said something about auctioneers. I want to make it very, very plain that there are no exemptions and there are no exclusions under this Act simply on the basis that you are already covered by a regulatory Act enforced by the Ministry of Consumer and Commercial Relations.

Mr. Renwick: Say that again. Are you saying that the real estate and business brokers are not covered by this Act?

Mr. Drea: No, I said that there will be no exemption or exclusion.

Mr. R. G. Hodgson: That would bring the lawyers under this Act.

Mr. Drea: You started raising some of those occupations that were covered by regulatory Acts of this ministry. It may have been inadvertent or it may have been a fishing expedition. If it was a fishing expedition, you have got your answer, because this question was raised many times in the committee.

When we come back to the activities of the professional person who is covered by professional statutes, or statutes governing a profession which are administered outside of this ministry, I am suggesting to you to put them under here, when there are already remedies for the consumer.

Mr. Renwick: There are no remedies for the consumer under the Law Society of Upper Canada—

Mr. Drea: There are none? Then how do you get your money back? Tell me how you get your money back if there is no remedy for the consumer? Of course there is.

Mr. J. F. Foulds (Port Arthur): What is it?

Mr. Drea: What is the remedy? There is a fund administered by the Law Society of Upper Canada that will repay the consumer when the—

Mr. Renwick: Not that unfair practices are defined in this Act.

Mr. Drea: Not specifically the unfair practices that are defined in this Act.

Mr. Renwick: That's right.

Mr. Drea: Not specifically those unfair practices, but certainly where the lawyer is engaged in the betrayal of trust of his client, where money is involved, there is a remedy for the consumer. There certainly is.

Mr. Renwick: There is not.

Mr. Drea: Then why does your fund pay out? Certainly not out of the gratitude of the Law Society. It pays out and occasionally it pays out copiously.

Mr. Lawlor: It is only under very narrow conditions of fraud.

Mr. Drea: Yes, that is quite true.

Mr. Renwick: And sometimes by very proportionate amounts.

Mr. Drea: Yes, depending upon what is there. But I am suggesting to you that the very title of this bill—An Act to Prohibit Unfair Practices in Sales to Consumers—indicates clearly that this is a business, a marketplace, a mercantile bill. It has been abundantly plain since the day of introduction that this did not cover the so-called professional services that have been regulated far longer than this.

Mr. Renwick: Who does it cover then? Which services does it cover and which services does it not cover? Does it cover insurance?

Mr. Drea: It covers the service—the sale of the insurance—not the insurance contract.

Mr. Renwick: I am not talking about the insurance contract. Does it cover the insurance salesman?

Mr. Drea: In his representation to the consumer, yes.

Mr. Renwick: Yes? How does that come about?

Mr. Drea: How does it come about? He is providing a service within the definition of the Act.

Mr. Renwick: What kind of a service?

An hon. member: Ah, come on!

An hon. member: A cultural service?

Mr. Lawlor: Recreational service?

Mr. Renwick: A recreational service?

Mr. Drea: No, he is not providing a recreational service.

Mr. Renwick: What is he providing? A service in respect of real property?

Mr. Drea: He is providing a service in respect of goods. He certainly is covered under the services—

Mr. Renwick: What if he is selling life insurance?

Mr. Drea: It is my understanding, at least under the definitions of f and i, between goods and services, that the insurance agent is covered in the representation he makes to the consumer. The insurance contract itself may not be covered. That's already covered under other legislation. But the purchase of service by the consumer is covered under this Act.

I suggest to you that to accept your definition, the amendment that you want, would go far beyond the intent of the bill. Indeed, if Bill C-2 does go through the federal House, the definition that you want about all services would either make this particular section in this Act redundant or parts of Bill C-2 redundant. How many pieces of legislation do you want that cover virtually the same thing?

Mr. Renwick: They don't cover the same things.

Mr. Drea: If I accepted your definition, I suggest to you, you probably wouldn't need a Bill C-2 within the scope of this province.

Mr. Renwick: You are going to have one.

Mr. Drea: Yes, that's a fine answer, "You are going to have one." So as long as there is a federal bill coming in with specific things in it, you want us to duplicate it word for word in a provincial statute. Surely if there ever was redundancy, it lies right there.

It being 6 o'clock, p.m., the House took recess.

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Legislature of Ontario Debates

No. 175



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Thursday, February 6, 1975

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock p.m.

UNFAIR BUSINESS PRACTICES ACT
(continued)

Mr. Chairman: On adjournment we had an amendment by Mr. Renwick, I believe, that Mr. Drea was speaking to. Has that been concluded?

Mr. J. A. Renwick (Riverdale): I don't know whether it has been concluded. I assume that over the dinner adjournment the parliamentary assistant has had a chance to think about it and is now prepared to accept it. Would that be—

Mr. F. Drea (Scarborough Centre): The parliamentary assistant has had a great deal of time to contemplate it over the dinner hour, as he did in committee, and the parliamentary assistant is not going to accept it.

Mr. Renwick: You're very gracious.

Mr. P. D. Lawlor (Lakeshore): Yes, the parliamentary assistant has had a great deal of time.

Mr. I. Deans (Wentworth): I wonder where the minister who deals with these things is?

Mr. Chairman: Shall the vote be stacked? Okay. The hon. member for Lakeshore.

Mr. Lawlor: You know, Frank, you did a great job in taking over midway and so on, but you didn't move the engine forward one inch. Your minister showed a great deal more imagination and sense of what it's all about than you are at this moment indicating.

May I say, and these are the only two points I want to make, under your definition of services and under the clause on consumer representations with services as first mentioned, by any stretch of the imagination my colleague is perfectly right. I mean if services are services, whatever they happen to be, you can't, my argument is, impose your own subjectivist and personal definition upon what services mean.

There's nothing showing in this legislation saying that professional services as such are ruled out. It's quite possible, I would suggest to you, for a judge of the county court of the county of York to determine that services, in connection with the first clause provided in respect of goods or of real property, very well might mean that if a lawyer is sitting in his office advising with respect to the impact of a mortgage, first, second or fifteenth, or with respect to the handling of personal property, he is rendering a service vis-à-vis personal property. And it goes this much further, saying that—well let me just pause there.

The professional skill involved in any element—surveying, architecture or anything that might touch on personal property—very well might be considered a service, unless you put in a specific clause saying that services do not encompass this area. If you exclude it explicitly and deliberately then it can be interpreted as not including the range of professional services. Personally, and this is where I disagree with my friend on the thing, I don't think it should include all those services. I'll come back to that in just a moment.

I don't think it was the genius, the drive, the focal point of the legislation initially, to begin with; nor has it been in any other jurisdiction. It's not what this bill is all about. However, I have to give credence to the brilliant imaginative genius of a renaissance type such as my friend over here, who sees the world caught up in an omnibus notion. If it were so, and I have no doubt in my mind in 10 years it will become so, the diapason, the range of this Act will cover all these services; I have no doubt at all about that.

So why not be a progenitor of one's time; why not a bit in advance of the cause so to speak; prophetic and vain, Vatican impetus; why not?

But you, as a member of the government, always hang back a bit. You're terrified of the future and hung up on the past, so that we wouldn't expect you to move that quickly. I say to you not only are professional people very possibly, unless you specifically exclude them, caught within the definition of services. As I see it, there's nothing that prevents it.

They are dealing with real estate and with goods and with giving advice vis-à-vis particular problems associated therein. When you say services provided in respect of real estate property, obviously that encompasses real estate agents. Aren't they the very ones who give plenary, immediate and necessary services with respect to real property? But you come along at a subsequent date and exclude that.

The reason we didn't use various other wording as we went through committee, was because your erstwhile minister, the minister of the day, kept on talking about moving vans and various forms of moving services, and the definition we had before us wouldn't have covered that. It would cover all kinds of installations of TV, and people who approved property in various ways—it left out moving vans—we ended up with this because of that.

With that in mind, I am suggesting to you that that clause, literally interpreted, would impart to me, or to any person sitting as a judge, that real estate people were involved in this thing, whether, my friends, you exclude them or not subsequently. You see they can't read what goes on in this Legislature. They are excluded by law, by the law that they respect and observe, from knowing anything that goes on or anything we say here. That is ruled out.

The Act speaks for itself. Its literal wording as presented to them, in front of them on the page, is what guides them, solely and entirely, and I would think that any judge reading that would say, "Well, among the first people who would fall under designation of people providing services of real property, would be, precisely, the real estate agents."

Mr. V. M. Singer (Downsview): Is that going to determine whether one per cent or 10 per cent is eluding the book industry?

Mr. Lawlor: That doesn't determine that; it nevertheless leaves the full amplitude of section 2, and particularly section 2(b) on unconscionable transactions, open to the courts —exactly the problem that he is seeking to avoid—

Mr. Singer: Don't be so pedantic about something that is so absolutely irrelevant.

Mr. Chairman: Order, please. The member for Lakeshore has the floor.

Mr. Lawlor: Not absolutely irrelevant, only slightly irrelevant.

Mr. Singer: I accept that as a victory.

Mr. Chairman: We are still speaking on section 1 of the bill.

Mr. Lawlor: Yes, we are speaking of services, Mr. Chairman.

Mr. Chairman: Yes, on section 1 of the bill.

Mr. Lawlor: Right. With that in mind, therefore, I think that it is fatuous for members of the Legislature, in the white heat of controversy, to sit downstairs and while the bill is in the furnace seek to go altering it, amending it, without being able to envisage the full implications of what they are doing. I think that that is a fatuous type of legislation. I think we take too much upon ourselves in that particular process.

The arrogation of the legislation originally wasn't that way. I thought we'd leave well enough alone up to that particular point. Having branched out, we must recognize the penalties, what we breed into the cause, and what we breed in are a whole host of victimizations. It is not my purpose this evening to spend several hours in colloquy, not with you—who are a diminutive figure in my eyes, may I say—but with my colleague here, for heaven's sake, who is a formidable son of a pup, and with that in mind I am going to silently vacate this chamber. Thank you, Mr. Chairman.

Mr. Singer: Not bad, not bad.

Mr. Chairman: Does the parliamentary assistant wish to reply? We have an amendment here. I don't know whether you want to carry it or not; we will put it and see whether you do or not.

Moved by Mr. Renwick that clause 1 of section 1 be amended to read as follows:

> "Services" means services of every nature and kind, including, without limitations, services invited in respect of goods or real property.

Shall the amendment carry?

Some hon. members: No.

Mr. Chairman: All those in favour of the amendment please say "aye."

All those opposed please say "nay."

In my opinion the "nays" have it.

Do you want the members called in or do you want to stack it?

Mr. Deans: We will stack it.

Mr. Renwick: I think we can stack it.

Mr. Chairman: Okay, we will move on to section 2 of the bill. Any comments on section 2?

On section 2:

Mr. Renwick: I think it deserves a brief comment since this is the section which establishes the unfair practices that are to be prohibited.

Interestingly enough, and perhaps for no other purpose than to put this on the record, section 2 simply establishes what are unfair practices. The unfair practices are false, misleading or deceptive consumer representations and unconscionable consumer representations. Those are the areas which form the substantive part of the bill, for which the balance of the bill is mainly procedure for enforcing against those kinds of unfair practices.

I don't think that there's any need, because those practices were dealt with at some length in the committee, for us to deal any longer on section 2 and we have no amendments to it. I believe section 2 and one or two others are about the only ones that we don't want to amend. But section 2 is the substance of the bill and I think that we concur in it at the present time.

Mr. Chairman: Shall section 2 carry?

Mr. Drea: Mr. Chairman, for the sake of the record, I would like to point out section 2(c) to the member for Riverdale. There was some concern about the enforcement of that self-destruct regulation, and there is a provision in section 2 now that there can't be a prosecution under that regulation until it is confirmed by the assembly, which is the reference to section 17.

Mr. Renwick: I noticed that, and I was pleased to see it.

Mr. Drea: I think it is worth mentioning for the sake of the record, because it was very important in committee to the substantive content of section 2.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Chairman, this is a truly fantastic section in both parts, but particularly in part two. What we wrote in section 2(b), you're perfectly right, we didn't want unconscionable transactions in that particular section as distinguished from deceptive representations. We didn't want to give the ministry plenary power to add to that list by regulation, because the impact of that, and what may be drawn out of "unconscionable representations," could be very dire indeed. We heard in committee from the other party.

I'm wholly in favour of the section, but I sometimes wonder why. From the strictly legal, precise point of view, the range of these clauses, the subjectivities involved and the interpretations that may be lent to these sections can be really very horrendous indeed.

Mr. Drea: Only if you are a crook.

Mr. Lawlor: Gosh, it's nice to have a black and white universe: on one side the devil himself and all the holy angels over here—and you, I suppose, are on the side of the holy angels—

Mr. Drea: That's right.

Mr. Lawlor: That ain't necessarily so, as the song once said. The fact of the matter is that there are grey areas, an enormous amount of colour in here—

Mr. Chairman: Will the hon. member for Lakeshore stick to the principle of the bill?

Mr. Lawlor: —when you say, under the heading of unconscionable practices, for instance, that a representative, a salesman, possibly a lawyer, or even possibly a doctor, who makes a statement to an individual patient, a client, a person to whom he intends to sell some goods or a customer, either knows or ought to have known that the consumer is not reasonably able to protect his interest because of physical infirmity, ignorance—really! Ignorance is a pretty broad quality.

We all share in that to an extent we wouldn't want to admit openly, in ignorance, illiteracy and inability to understand the language of an agreement or similar fact. That fact alone, just not understanding, is sufficient in itself to avoid the transaction. He can simply say: "I didn't understand the word that you said, or I didn't understand it sufficiently. You put it over on me, you hoodwinked me, you misled. That is the end of the road, boy. The deal is finished and out we go."

I say it balances the cards. For too long under our free enterprise system the surveyor of goods has put it over, hoodwinked and pushed down the throat of the consumer all kinds of misrepresentations. Finally, there's a slight reversal.

By George! did we ever hear it in front of our committee from all the representatives

of industry, the boards of trades, etc., that this is iniquitous socialist legislation. They said: "You are really putting the business community on the spot. You are making it difficult. What about caveat emptor? Let the bloody buyer beware."

Now you're saying and we're saying for the first time in this province at least—it has been done many places elsewhere—that the buyer has to beware, but not all that beware, thank you. We don't have to be taken.

With that in mind, when you extend it out and say in clause (ii) that where a representation is made such "that the price grossly exceeds the price at which similar goods or services are readily available to like consumers", you are playing with fire. There is a vagueness about all that. There is a vagueness that does affect the somewhat perjured soul of the ordinary lawyer in this particular regard. How in blazes is that to be interpreted? How is that to be construed?

And in the next one when you say "that the consumer is unable to receive a substantial benefit," what do you mean by that? What do you mean by a substantial benefit in this particular regard? Or, when you come down and say "that the proposed transaction is excessively one-sided in favour of someone other than the consumer," isn't that glorious? We've entered the new Jerusalem almost. We are in the ante-chamber to the temple.

Mr. Drea: Just remember the Conservative Party took you to the new Jerusalem.

Mr. Lawlor: Too one-sided, eh? Isn't that sweet? All right, I say that under some legislation we've had before us and which is on the books of this province—the Unconscionable Transactions Relief Act—in legislation of that type, the equities prevail and a gut sense of justice, not a rationalized sense up here, where they all balance figures out. The fact of the matter—who is getting taken in this particular situation?—becomes predominant. That's great and that's what they hated in the committee and what we're for and for which I give you, to this extent, credit.

The trouble with your wretched legislation is you don't go far enough in this particular. During the evening, put a halo around your head, as we will be moving numerous amendments to fortify you in your stance, in your pretended accolades to consumers of this province.

I'm saying, on the other hand, that we heard almost ad nauseam from the business community about what this means in our terms as to the construction of contracts, etc. We have, I trust, sufficient faith in the tribunal that's in existence and, if not, then in the courts themselves to construe what conscionability is and where good conscience resides in these transactions. A lot of it over a period of time will develop a jurisprudence, a series of precedents and a series of interpretations of this thing, which is not your wretched interpretation which you seek to impose from on high in this assembly but the interpretations rationally and slowly arrived at by the courts of the province to bring some sense into otherwise terribly amorphous sections of the Act.

That's what we depend upon. We depend upon morality, believe it or not. It's the most moral piece of legislation I've ever seen. It's saying that people must be honest and must have goodwill. There must be a generosity in the interrelationships between human beings. It can't be all fetched to one side. The business community can't predominate. It can't rule the roost. It can't put people over a barrel every day of the week. And that's the meaning of all this stuff.

If it works that way—fine. And to the extent that you've gone—okay. But it has been pointed out to you by consumers' representations and others—may I just read the last sentence of a letter which you recently received from Ruth Jackson and M. J. Trebilcock, the professor who attended throughout these hearings. This is the last paragraph of the letter:

> We do not think that Ontario should take any particular pride in the possibility that it will enact the weakest Business Practices Act in this country.

And that is what you are in the process of doing, despite what you are trying to do. Why don't you buckle on your armour of righteousness, so to speak, as the representative of the ministry in this regard, and go along the line during the evening with respect to the numerous amendments. How about class actions; representation for individuals who have to pay out of their own pocket the costs of court cases; substantial issues that have real meaning to the public, where somebody is taking somebody else? Why don't you give that thought? You've resisted that all along the line.

These are only two things among the many that will be brought forward. There is ill will on your part. It shows a purblindedness and a stupidity and a digging in of heels which you make take pride in. I'm not sure about you yet.

Interjection by an hon. member.

Mr. Lawlor: But I'm watching—and you know this is your baptism of fire. This will tell which side of the fence you are really on, because you have been trumpeting horns and playing mandolins to the consumer of the province as the Great White Father. All right, we'll test you. We'll see. We'll see how far you are prepared to go on this one, boy.

My prediction, for what it's worth—and I'm Nostradamus with the green light—you won't take a single one of them all the way through.

In terms of the several clauses that we have before us, they can have enormous impact on the province. This is new stuff and it's good stuff. Once in a while one gets a lift in this wretched place, full of dullness and dudgeon, various miasmas and stinking smells and various other things, etc. Very often there is not too much light comes into the total darkness. But when you read a section like that, you think there may even be hope for you fellows.

Mr. Drea: Well, Mr. Chairman, I just want to—just so anybody isn't led astray by that brilliant whatever it was.

Mr. W. Ferrier (Cochrane South): Nobody would ever be led astray by your brilliant talk.

Mr. Drea: It is all very well to read the various sections out of here, both under (a) and under (b). It's all very well to do that; and I've heard that a number of times. I have never really understood, when it came from the member for Lakeshore, whether it was a soliloquy for lost crooks or it was a pay-in on behalf of some consumers. However, there is one thing I am sure of—

Mr. Lawlor: You think there is a contradiction?

Mr. Drea: —in no case have you ever read both section (a) and section (b). Just so we don't take all of these subjections wildly out of context—this thing about ignorance and the other things that you brought up—

Mr. Lawlor: Yes?

Mr. Drea: —they must be "part of a false, misleading or deceptive consumer representation." I think that those words in both section (a) and again, "an unconscionable consumer transaction" in section (b), put those clauses in their proper perspective. I would have thought that certainly so astute a solicitor—

Mr. Lawlor: Do you know that the Social Credit legislation is better than yours?

Mr. Drea: What Social Credit legislation?

Mr. Lawlor: You've heard of that; the Alberta legislation.

Mr. Drea: If our legislation is so bad—

Mr. Lawlor: The Alberta stuff has far more guts in it than anything you've got here.

Mr. Drea: I see. It wasn't Social Credit legislation in Alberta, it was Conservative legislation.

Mr. Lawlor: It has far more meaning. Whatever is good in your bill, you borrowed from the poor beggars.

Mr. Drea: Indeed, if this is the genesis of the new consumerism in Ontario, you can't have it both ways. On the one hand, you are saying it's the genesis and the beginning of light, and on the other hand you are saying it's a wretched bill—and then you read out of context. I read that letter. You read it out of context, that particular thing. You are going to read something else out of context in less than two minutes.

Mr. Lawlor: I will read the whole bloody letter, if that is what you want. It's even worse than that.

Interjections by hon. members.

Mr. Drea: The point is that these clauses—

Mr. Chairman: Order please. Would the hon. member for Scarborough Centre—

Mr. Lawlor: He'll never make a minister—

Mr. Drea: That's what I am talking about. Now section 2 of this bill was—

Mr. Chairman: Order.

Mr. Lawlor: This man will never make a minister of the Crown, he is too provocative.

Mr. Chairman: This has got nothing to do with section 2 of the bill either, I say to the member for Lakeshore. Let's play the game square.

Mr. Lawlor: Certainly it has. What game are you playing? I am serious.

Mr. Chairman: Proceed.

Mr. Drea: I really think playing the game square would probably be the last thing that would happen here.

Mr. Chairman: Order please.

Mr. Drea: I just want to remind the House that the sections that the member for Lakeshore has read, were read out of context, and this is frequently the case.

Mr. M. Shulman (High Park): How can you read a section out of context?

Mr. Drea: I am talking about the sections in this Act. To understand the implications and the purposes and the realities of those sections you must read the preamble that appears in both section (a) and section (b). I think if you had done that, the thrust of this bill and what it is intended to do would have been accurately represented.

Mr. Lawlor: Oh, come off it.

Section 2 agreed to.

On section 3:

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: I would like to know if the parliamentary assistant has an amendment to section 3. Section 3 is the prohibition saying that no person shall engage in an unfair practice. In view of his remarks earlier, presumably he would like to make an exception at the end of that, "except the member of a profession." Is that what he would like to do? So that the clause would read, "No person shall engage in an unfair practice unless he is a member of a profession."

Mr. Drea: That clause stands. If you want to make an amendment to that effect, I won't accept it.

Mr. Renwick: No, but I had that feeling that you wanted to make an exception for those in the profession so that they could engage in unfair practices without being subjected to any of the provisions of this bill from the discussion we had before supper designed to ensure the protection of the consumer of those professional services.

Mr. Drea: No, I made it quite clear, Mr. Chairman, before the adjournment for supper that there were no exceptions or no exclusions. If you fitted under the definition of both the goods or the services section, which have already been passed, that you are in.

Mr. Renwick: We haven't passed the services section. There is an amendment stacked.

Mr. Drea: I think by the time the evening or tomorrow is over, that will be passed.

Mr. Renwick: I understand. I know. I know. The mailed fist of the Tory party will come down and—

Mr. Drea: Oh, I think we will have some other support.

Mr. Renwick: I wouldn't be surprised.

Well, that is the comment I have on section 3, that if there is any consistency in the parliamentary assistant he would want to make an amendment, rather than to leave it vaguely misunderstood by the public that the lawyers and doctors and architects, and so on, aren't subject to the provisions of this bill.

Mr. Chairman: Does section 3 carry?

Mr. Lawlor: No, Mr. Chairman.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: I am anticipating a bit, Mr. Chairman, with respect to section 5. If section 5 were subject to this section, then a great deal of justice would be done. This is completely reworked, revamped, a new baby—the whole section. It's remarkable what was done in the committee—and particularly with respect to 1(b).

They say that you can rescind a contract. I just wonder about this too, you know, from a straight legal point of view. You don't rescind contracts. As my legal training told me, you repudiate the wretched things. I f you don't like a contract, you repudiate it. You may have valid or invalid grounds for doing so, and it's up to the court to accept or reject your repudiation which is called rescission. It's done by the courts.

In any event, let's not become too technical about the language. This is the rescission, where the individual says, "You pulled a deal on me; you have got an unfair practice. However amorphous and vague it may be, the fact of the matter is you have done it to me and I am calling the whole deal off. I am not going to pay another dime, and I want my money back." But then they are saying in (b) that there are certain circumstances in which this cannot be done.

I mean, everybody knows there are circumstances in which you have got rid of the goods, or they have been lost or you yourself don't want to restore them; or any number of things may happen where rescission, which means putting people back in the same position they were before the thing ever started, would come into being.

Then when you say: "Where rescission is not possible because restitution is no longer

possible"; in other words, you haven't got the thing to give back or you have damaged it, you couldn't possibly give back the same goods that you got in the first instance and so on; "or because rescission would deprive"; this is where a certain morality again enters into the legislation, which is a kind of second morality as between the vendor and the purchaser.

Other people are out there who are going to get hurt. When there's a third party, somebody else is going to get hurt: "which would deprive a third party of a right in the subject matter of the agreement that he has acquired in good faith and for value, then the consumer is not entitled to rescind." He can't call the whole thing off, he simply goes for damages.

Now I can't see why you can't retain the realistic sections if you word the clause there dfferently. It excludes the one I am talking about, section 4(1)(b). Why not keep section 4(1))(b)? Protect third parties against the effect of calling off a deal arbitrarily, and retain the full range and full weight of the possibilities of this legislation.

That's what I thought we were doing in committee; and when I came on the Friday, a week or so ago, and saw this version sitting on my desk, I said "What on earth?" It is not the parliamentary counsel's fault. He knows what he is doing. It's just that I misunderstood. I didn't understand that that was the way it was, the colour of the eyes, that wasn't the way it was. I thought that third parties were being protected in this; in the way you have set it up third parties aren't protected. That's the only thing.

Why should a real estate salesman, for instance, be able to make grotesque misrepresentations inducing people into contracts and so on, and then be excluded from the whole range and ambit of your legislation? He should very well be within the four corners of this bill. There is no reason in the world why he shouldn't be, as long as you give adequate protection to those who would be victimized otherwise.

So as I understand the position; you very well may be wiping him out of the picture entirely for the faintest of reasons and without adequate justification. If you protect people on the domino theory, that's what this clause would do. We wrote it in deliberately.

You know, it was kind of a travail to do it. I mean it was real hard work downstairs, trying to get this thing worded and trying to get it in shape. We got it into shape, and now you are, it seems to me, abdicating it; at least in one quarter.

The section as it stands, it seems to me, is valid with respect to the whole other range of transactions if third parties are going to be hurt. Most often where persons are buying a refrigerator or a stove they are not reselling the same article or even another stove in order to puchase the first one, which is not true about real estate transactions. Therefore the possibilities of third parties becoming involved, and becoming in some way injured as a result of the transaction, is very remote indeed in most transactions. Nevertheless, it is wise to write this kind of possible buffering in as a buffer against this if it does happen.

Now I suppose you had a lot of flak, a good deal of flak, with respect to the subsequent wording of this thing, as to how the damages, the monitory recompense, is to be arrived at. We heard a good deal in committee.

Are you satisfied with the distinction, the range of damages and the differentiae between the amount paid under the agreement, to the degree it exceeds the fair value of the goods or services received under the agreement or damages or both? Have you really worked at it? Do you know? Because I wasn't, to be quite frank with you, completely satisfied in committee, since this thing was born out of clean air, that that was really workable and really sound. Are you really satisfied with this?

It is your responsibility. It is up to you to work these things over. It is not our bloody legislation, and in this particular regard I would like to be assured on that count.

Mr. Drea: Well, I would point to section 4(2). I think that answers all of your problems.

Mr. Lawlor: Have you worked out your measure of damages? There are all kinds of problems.

Mr. Drea: If you refer to the next subsection, you will see that the measure of damages is going to be determined by the courts. I think that properly is their job.

Mr. Lawlor: Yes, but you must give the criteria for doing so. You must set up the lines upon which the courts have to act. Is it clear enough for the courts to operate on?

Mr. Drea: I think it's absolutely clear. It says: "The court may award exemplary or punitive damages." They know what to do.

Mr. Lawlor: Well, thank God not all our judges are of the same ilk. I think you're going to have a great deal of trouble with it.

Mr. Drea: Well, I'm certainly not going to presume to tell the judges—

Mr. Chairman: Shall section 3 carry? Carried.

On section 4, the hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, my colleague and the minister were already debating section 4.

Mr. Drea: I thought we had passed it.

Mr. Chairman: Yes, they debated part of it.

Mr. Renwick: I just want to make this point about section 4—there should be no misunderstanding about this—that it's not any consumer representation that is an unfair practice that gives rise to the right of rescission or, in the absence of the right of rescission, the right to the damages set out in the section, and in certain cases with permission to the court to assess exemplary or punitive damages where the representation is unconscionable. To claim the benefit of this section, a person must not only establish that there has been a consumer representation that is an unfair practice, he must also establish that it was a representation of the kind that induced him to enter into the agreement.

I think it's very important that it be clearly understood that there is that second aspect of the requirement of the statute before a person can call in aid the statute to assist him because of an unfair practice.

I think the second point that requires comment is that if it is of the kind of unfair practice which can be called unconscionable, we have given the consumer the potential of the court awarding exemplary or punitive damages. I know of very few cases where the court has ever taken upon itself the power to award exemplary or punitive damages, other than in the law of libel and slander.

Mr. Lawlor: Libel and slander, yes.

Mr. Renwick: I don't know of any other case. Perhaps my friend the member for Prince Edward-Lennox (Mr. J. A. Taylor) can think of another one, but I don't know of any others. That in itself is a fairly Draconian provision, and it'll be interesting to see over the years the occasions on which a court might exercise that particular Draconian power.

The next part that I think deserves very significant attention is a break in one of the major rules of the law of evidence, which provides that parol evidence—that is, verbal evidence—or non-written evidence, apart from the written agreement, may be brought in to establish whether or not the representation has taken place. That's included in section 4(7), and I think it's worth quoting:

> In the trial of an issue under subsection 1, oral evidence respecting an unfair practice is admissible notwithstanding that there is a written agreement and notwithstanding that the evidence pertains to a representation of a term, condition or undertaking that is or is not provided for in the agreement.

That, coupled with the next clause, which says, "This section applies notwithstanding any agreement or waiver to the contrary," is a very substantial extension of the law with respect to what can be brought in evidence for the purpose of establishing an unfair practice of the kind that might have been said to induce the person to enter into the agreement and give him the right to rescind the contract or, in the absence of recission, to claim damages. For lawyers, that is indeed a very major departure from the law of evidence as applied to written contracts.

Mr. Drea: It's good, though.

Mr. Renwick: I think the last part on which we had trouble was with the whole field of advertising, and that we endeavoured to cover in the way in which subsection 9 of section 4 is worded that says that subsection 3—that is, the joint and several liability of persons who are involved in making a consumer representation—

> . . . does not apply to a person who, on behalf of another person, prints, publishes, distributes, broadcasts or telecasts a representation or an advertisement that he accepts in good faith for printing, publishing, distributing, broadcasting or telecasting in the ordinary course of his business.

I am not certain that that is adequately phrased. I think it is, for the present purpose, the best that can be done until there is some experience about it.

The question obviously arose that if a merchandising house submits an advertisement to the Globe and Mail and the Globe and Mail publishes the advertisement, and the advertisement turns out to have contained a false or misleading representation on which a consumer acted to his detriment, a question that the committee had to determine was to

what extent was the medium—in the illustration I used, the Globe and Mail—responsible, along with the merchandising house, for any of the effects that might flow from it. We decided, I think correctly, that it was wise to eliminate that liability provided it was done in good faith.

Now I don't know the limits of that. I think it is very difficult, if there were a grossly misleading advertisement placed—for example, the kind of advertisements that have been placed by that chap from London, the Coalition of Citizens; that kind of gross, misleading advertisement—whether or not a newspaper is protected when it knows very well by reading it that it is grossly misleading or deceiving, or contains false or misleading representation to induce someone to join the Coalition of Citizens for the advancement of what could be termed right-wing causes in the Province of Ontario. That's the kind of problem that we are faced with. I think the section probably is as good as can be accomplished at the present time until we have had more experience as to how it will work out.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: Mr. Chairman, I would like to speak on two points further on this and one is the parole evidence rule.

I think it should be clearly understood by the members of this House and the general public—and this is anticipation again of section 5—when a contract is written up and it is in black and white then there is always a clause in there—and it is a rule of court that that's it—that whatever is said in advance of that, or surrounding that, or after that, or in any other way, once the thing is written down, the written word with all its magic prevails. Other things are excluded, and you can't in the court room bring in evidence that contradicts this written word. There is a rule that you can expand it a bit to explain what it means as long as it doesn't contradict it.

But the fact of the matter is in ordinary everyday life, and as a practical matter, salesmen of all kinds tell fibs. It is not just puffing; everyone can excuse puffing; it carries beyond that particular point. When the real pivot on which the whole transaction turns is that he told him something that brought him into the transaction which nevertheless didn't manage to get itself written down because the salesman knew damn well that if he wrote it down he would be in trouble, so he excludes it and the asininity of British law up to this point is that when you get the people on the witness stand and you are in the court room, you can't mention that; it is out of court.

This section is a breakthrough in this particular regard. It says that whatever is said in the course of the transaction inducing a person to enter into that transaction is admissible, you can talk about it, you can explain it to the judge, it is part of the deal, it is part of the case, etc. And if it is grave enough and if it is material enough, it very well may bring an end to the whole proceedings.

That's extremely valid. If, in the next few moments it's your intention to exclude section 5, then out the window goes that particular parole evidence rule. The parole evidence rule is absolutely critical in this particular context, as you well know, and I want it to apply right across the board to every form of commercial transaction that it could possibly apply to.

As to the second point, on advertisers, Mr. Chairman, we had great, great difficulty with it. Not only did we put in this other clause here, saying that it "does not apply to a person who, on behalf of another person, prints, publishes, distributes, broadcasts or telecasts a representation or an advertisement which he accepts in good faith for printing . . . " and so forth, but we went on with section 18(6) in a sense to reiterate that, to say it all over again, because we don't quite know what to do with television advertising and with the press media reprinting things which come to them, which they have no apparatus to investigate as to their truth or falsity and yet print.

We didn't feel it was necessary; it wasn't quite just to pin the blame on them, because they would have to have an enormous research staff in order to test the validity of all this advertising on one side of the fence, so we swung it back to the people who make the presentation in the first place. Let them stand the weight of their own advertisements and, at the same time, let them be liable should their advertisements be wrong in this regard.

Mr. Chairman: Does section 4 carry?

The hon. member for Ottawa East.

Mr. A. J. Roy (Ottawa East): I would like to make a few comments on section 4 of the bill and pose a few questions to the parliamentary assistant.

In my opinion, section 4, from a practical point of view, is what I consider to be legislation for the consumer which has done away with a lot of the apparatus of the court

and this type of thing. In other words, a summary sort of relief can be given to the consumer.

On the other hand I'm a bit concerned, Mr. Chairman, and I think this was mentioned in standing committee, about the duplicity of the effects of section 4 with section 36(1) and section 37(1) of the Combines Investigation Act. You see, you have a situation here in which, if the consumer feels he's a victim of an unfair practice, he can rescind the contract and he can get his money back. In fact, he can receive an award from the court for exemplary and even punitive damages.

Over and above this, there's a possibility that the individual involved in this type of practice might well be charged under the Combines Investigation Act, the federal statute. For instance, if he advertised in the same particular transaction he may well be charged under section 37(1) of the Combines Investigation Act—a section I'm very familiar with—which talks about advertisements containing statements which are untrue, deceptive or misleading. Under that particular section, of course, he could be guilty.

Two or three years ago that section was amended and it is now an indictable offence. It has been my experience that, more and more, the courts are getting relatively tough. They weren't imposing sufficient sentences, when you are talking about large corporations, but some people are, in fact, going to jail and the federal Minister of Consumer and Corporate Affairs has suggested that he's looking at an amendment to put corporate people in jail.

The point in this is, in our effort to sort of give the consumer a method of righting a wrong, and a summary method of doing it, I'm just wondering if there's going to be some sort of duplication involved here, where we have an individual who may well end up losing his contract, paying the money back, suffering punitive damages in court and being charged criminally under the Combines Investigation Act. We have a principle in our law, Mr. Chairman, which states that an individual should not be punished twice for the same offence. I am concerned about that aspect of the legislation.

I'm all for the summary approach taken by this particular Act. I think it was mentioned in committee that it's unfortunate that the whole range of protection for the consumer is going to end up with part of it under the federal government and part of it under the provincial government and there's going to be duplication. Somewhere along the way, some individual is going to end up being punished twice.

Of course, we have a Bill of Rights in Canada which says an individual should not suffer undue or harsh treatment under our particular laws. I would like to ask the parliamentary assistant—

Mr. Drea: Do you want me to respond to that?

Mr. Roy: Yes.

Mr. Drea: That's all very well to say, but what happens to the person who gets into an automobile accident? That person may very well face civil damages through his insurance company because of his negligence. Secondly, he may be tried under a provincial statute—the Highway Traffic Act, for instance—for running a stop sign or failing to remain. Thirdly, because of his blood alcohol content, or something that he did, he may very well face the full penalties of federal legislation, which is the Criminal Code.

Now, then, you run risks when you operate a motor vehicle and perform in an irresponsible manner, depending upon the conditions. I'm sure, from your own practice, you're aware of all those conditions. You can't go out with the driver and say: "Just because your insurance is going to pay for the accident the charges under the Highway Traffic Act, the charges under the Criminal Code should be dropped because it's a violation of the Canadian Bill of Rights." You don't do it there, and I don't see one single whit of difference here.

You can get into an automobile accident, and, as I say, there could be a civil remedy. Let's say, following your analogy, this is the repayment of the money. You can be tried under the provincial statute, which may very well suspend your licence because of the points accumulated and you can go to jail for a criminal offence under the Criminal Code. If that's good enough for the automobile driver and the person who is irresponsible, I really don't see any great difficulty in applying it into the field of consumerism.

I agree with the member for Ottawa East that the courts are starting to get tough. I think the courts should have started to get tough on this sort of thing 20 years ago. I don't think there's one bit of difference between putting a gun into the side of a bank teller and stealing $200 from a bank, than to stand there with a smile on your face and with a white shirt and tie on fleece a widow out of $2,000. In fact, I prefer the

bank robber. At least you know what he's up to.

Mr. Ferrier: They are not great robbers if that's all they get.

Mr. Drea: I agree with the member for Ottawa East. It's about time the courts got tough.

I don't think the intent of this section is to deliberately put people into double jeopardy. But if they have decided to embark on a course of going out and trying to fleece the consumer, then they might as well know now they face an awful lot of consequences. And if they still want to do it, then I say, with all due respect to the federal Solicitor General, we are going to get a new class of clientele in the penitentiary. They may have to upgrade them just to deal with the new type of prisoner who will go in—and it's about time they did.

Mr. Roy: Mr. Chairman, I don't know if the analogies made by the parliamentary assistant are actually relevant to this. When we talk about motor vehicle negligence, you could not be charged with a similar offence under the Highway Traffic Act as you can under the Criminal Code. He could plead double jeopardy in those particular situations.

Mr. Renwick: But you could be charged with another offence.

Mr. Roy: You could possibly charge him with another offence.

Mr. Drea: That is why there are so many sections under one.

Mr. Roy: What I want to know—and I did not complete my question to the parliamentary assistant. I notice that the director has a right under this legislation to take action. Is there going to be any communication with the federal level where, in the director's opinion, misleading advertising has taken place in violation of a section—for instance, 37(1)—of the Combines Investigation Act? Is there any intention of referring that type of breach to the federal level?

Mr. Drea: I think the record is quite clear, Mr. Chairman. In the past, under general applications of false and misleading advertising, we have preferred that those cases be tried by the federal authorities under the auspices of the existing Combines Investigation Act. Where misleading advertising was most specific in an industry which we regulate with specific statutes administered by the Ministry of Consumer and Commercial Relations, then we proceeded. But where they were in a general field, in an industry not specifically regulated—and I'm talking about, for instance, in a regulated industry under our ministry, such as automobile sales—where it was false and misleading advertising in that regulated industry, we would proceed. If it was in the general sphere that wasn't specifically regulated, the federal people have dealt with it to this date through the Combines Investigation Act.

I don't really see that this section is going to change any of the administrative practices. I think that that system has worked out very well. In both cases there have been a number of convictions, but far more important than that is the fact the number of complaints concerning false or misleading advertising in both areas has been dropping. People are much more aware of the consequences of getting into this kind of game.

I agree with you that if there was going to be duplication all the time, with a writ going here and a writ going there from a different authority, and virtually a flipping of a coin as to who was going to proceed, then I think that would be a problem. But I give you the record of the past where I think the system has worked out very very well.

Mr. Roy: Mr. Chairman, I would just briefly comment that I'm all for protection of the consumer and I say it is high time that we got legislation here. You talk about things going on for 20 years and nothing being done and I just ask you, who has been in power in the province for the last 20 years? Why has something not been done prior to this time? This is something that we have talked about for quite some time.

Mr. Drea: Don't start that bunk now.

Mr. Roy: I am saying very simply to you that in your haste and your enthusiasm for the protection of the consumer, which we agree with, let's not forget the rights of all individuals in this society, whether it is the vendor or anyone else. I just express this concern that in the haste of several levels of government to get involved in this field, you will have individuals who will be facing, in my opinion, Mr. Chairman, different penalties at different levels. I think that is something that we should keep in mind. I would trust that the courts would treat it accordingly. I don't think any individual in this society should be placed in a position where we are offending one of the basic principles of our

justice in this province and in this country, the fact that an individual should not be punished twice for the same offence.

Mr. Chairman: Shall section 4 carry?

Section 4 agreed to.

Mr. Chairman: Section 5.

On section 5:

Mr. Singer: On section 5, has the parliamentary assistant got an amendment? I'd be very happy to hear an amendment.

Mr. Drea: I may send you home early. Mr. Chairman, there have been some references made already in anticipation of section 5, particularly by my friend from Lakeshore.

Mr. Renwick: What they couldn't do in open committee, they did behind the closed doors of the ministry.

Mr. Drea: Are you suggesting the real estate industry got to me? If that is what you are suggesting, say it.

Mr. Renwick: I just said it. I said what they couldn't do in open committee—

Mr. Drea: Well, I will tell you something. You put forward a proposal in that committee regarding this section that was so nonsensical that your friend from Lakeshore even turned his back on you and you couldn't even get a vote in there. You are the last person to criticize any single subsection of section 5 as it stands now or as it is going to stand in a couple of minutes.

Mr. Chairman: Order, please.

Mr. Renwick: Do you want me to repeat what I said?

Mr. Drea: Yes, go ahead.

Mr. Renwick: What the real estate industry couldn't—

Mr. Chairman: Order. Order.

Mr. Renwick: —get in open committee, they got behind closed doors in the ministry.

Mr. Drea: That's bunk and you know it.

Mr. Chairman: Order. Do you want to proceed.

Mr. Ferrier. We are waiting with bated breath.

Mr. L. C. Henderson (Lambton): Take it easy now.

Mr. Drea: Mr. Chairman, it is quite true that section 5, as it now stands in the Act, is the result of the feelings of the majority of the people who were in the standing committee at the time Bill 55 was being discussed. Mr. Chairman, it is a fair representation of the feeling then by the committee members regarding—

Mr. Singer: Who were there.

Mr. Renwick: That's the committee you know, those who are there constitute the committee.

Mr. Drea: I didn't say that, fight with him, the member for Downsview.

Mr. Renwick: Sure you did.

Mr. Drea: No, I didn't say that.

Mr. Renwick: You did; who were there at the time, you said that.

Mr. Drea: I said the committee members who were there at that time.

Mr. Renwick: That's right, that was the committee.

Mr. Drea: That's right. All right the committee, it was the feeling of the committee.

Mr. Singer: At that time.

Mr. Drea: At that time, that's right. Now did I get the comma in correctly for you? It was the feeling of the committee—

Mr. Henderson: It still is.

Mr. Drea: Yes; it still is the feeling of the committee that really—

Mr. Renwick: You weren't on the committee. How would you know what the committee felt?

Mr. Drea: —an Act that was going to serve as the basis for a general code of business standards, really had to attempt to come to grips with the service and the agency relationship in something as significant to the consumer as a real estate transaction.

Mr. Chairman, the difficulty with that is that Bill 55 as it stood originally, and Bill 55 as it will stand, quite clearly deals with selling practices. It does not deal with particular products nor does it deal with industries.

Mr. Ferrier: Mr. Chairman, could you get some progress in this House?

Mr. Drea: Its original purpose—

Mr. Chairman: Would the hon. member for Scarborough Centre, if he has an amendment, present the amendment to the Chair and then we can discuss it?

Mr. Drea: If I could just say a few more words, Mr. Chairman, you will get the amendment.

Mr. Renwick: He wants to keep the suspense up.

Mr. Chairman: If you are going to amend the section—

An hon. member: If you are going to present an amendment, do so and then let's discuss it.

Mr. Drea: All right, Mr. Chairman, I am going—

Mr. Renwick: This is high drama.

Mr. Drea: All right, Mr. Chairman.

Mr. Drea moves that section 5 be deleted in its entirety.

Mr. Singer: I don't know why everyone is so—

Interjections by hon. members.

Some hon. members: Carried?

Mr. Renwick: Well, well, well! Did you get a letter from anybody, or did they come and see you?

I just got a baleful look.

Mr. M. C. Germa (Sudbury): Don't tease the bear.

Interjections by hon. members.

Mr. Renwick: The consumer certainly is getting the double shuffle here.

Mr. Shulman: Double shaft!

Mr. Renwick: Yes, the double shaft; called bait and switch.

Mr. Drea: You know, you open your mouth one more time and I am going to tell everybody the ludicrous proposal you made down there that nobody would even vote for.

Mr. Chairman: Order, order.

Mr. Renwick: Are you going to cross the floor?

Mr. Chairman: Mr. Drea moves we delete section 5 as it is now in its entirety.

All those in favour of the motion please say "aye."

All those opposed please say "nay."

In my opinion the "ayes" have it; the amending motion is carried.

Mr. Singer: That is even without Lawlor.

On section 6:

Mr. Renwick: Yes, section 6; but if I could just put a little addendum in here, you know, I'd just like to repeat, rather by way of interjection but actually on the record, that of course the vested interest got to the ministry. It's just that clear.

Mr. Singer: All the members except one tonight.

Mr. Renwick: That's right.

Mr. Singer: Insulting us all, eh?

Mr. Renwick: That's right. You know, it's a very interesting thing—

Mr. Chairman: Order. We have dealt with section 5.

Mr. Renwick: If you buy an automobile—

Interjections by hon. members.

Mr. Chairman: The hon. member for Riverdale is out of order and he knows he is out of order. We are dealing with section 6 at the present time.

Interjections by hon. members.

Mr. Renwick: On section 6.

Mr. Chairman: Yes.

Mr. Renwick: Well, as I was saying, on section 6—

Mr. Chairman: Any particular subsection?

Mr. Renwick: —I wanted to propose two amendments. One of them is quite lengthy and it will be necessary for me to read it into the record. The other one is quite short, but it is essential, Mr. Chairman, that under section 6, where the director is permitted to do certain things, that he be able in certain cases to take an action on behalf of a consumer in order that the consumer will not be subjected to the expenses that would be involved in taking a meritorious case to the court. It's known colloquially—and there was substantial discussion of it in the committee—as the substituted action.

Mr. Renwick moves that section 6 be amended by designating the present section 6 as subsection 1 and adding thereto the following subsections:

(2) Subject to this section, the director may, where it is in the public interest to do so,

(a) commence and maintain an action under section 4 where a consumer has a cause of action under that section; or

(b) maintain an action under section 4 after it has been commenced; or

(c) bring and maintain an appeal in an action under section 4.

(3) Where pursuant to subsection 2 the director brings or maintains an action or an appeal under section 4, he shall do so in the name of and on behalf of that consumer and he shall be entitled to take the same steps in and have the same control over the action or appeal including the right to settle the action or appeal or any part thereof as that consumer would have had in respect of that action or appeal.

(4) The director shall not bring or maintain an action or an appeal under this section without first obtaining the written consent of the consumer in whose name the action is brought.

(5) Upon the consumer giving written notice under subsection 4, the director may, without consulting or seeking any further consent of the consumer, conduct the action or appeal in such a manner as the director considers appropriate and proper.

(6) In any action or appeal commenced, brought, or maintained by the director pursuant to subsection 2,

(a) any moneys recovered, excluding costs of the action or appeal, shall be paid to the consumer where reasonable and practicable,

(b) any moneys payable by the consumer, excluding costs of the action or appeal, are not recoverable from the director or the government of Ontario,

(c) the costs of the action or appeal shall be paid to or borne by the director.

(7) Nothing in this section abrogates or restricts any right of set-off that a person has or may have against a consumer on whose behalf the director is acting under this section.

(8) Where the director, while acting on behalf of a consumer under this section, releases a supplier from a liability or an obligation arising out of the cause of action, that release shall extinguish that claim to that liability or obligation referred to in that release which that consumer may have against that person.

(9) Where money is paid to the director in an action referred to in subsection 2 and

(a) it is not reasonable or practical to pay the money to the consumer; or

(b) the consumer to whom the money is payable cannot be located,

the director may apply to the court for directions respecting the payment of the money and, upon complying with the directions of the court, pay any remaining balance into the consolidated revenue fund.

Mr. Renwick: Mr. Chairman, unfortunately I only have one copy of it. No, I have two. I take it that it would not be necessary to—

Mr. Chairman: It's quite a long amendment and I imagine the parliamentary assistant would like the amendment to look over.

Mr. Renwick: I think I can give him one.

Mr. Drea: No, Mr. Chairman. I have listened to it. I understand the thrust of the hon. member for Riverdale's amendment and I don't think I need to look at it. We're not going to accept that.

Mr. Renwick: The reason and the purpose for the amendment is that there are obviously situations in which a consumer would be subjected to a substantial burden in taking a meritorious case or a test case to the court. The purpose of this amendment is to provide that, with proper safeguards and spelling out the procedures to be followed in achieving those safeguards, the director can take the action in place of and in lieu of the consumer.

It is not unique. It is a procedure which is available under the British Columbia legislation, and is probably available under the code in the United States, although of that I am not certain. But the substituted action has very real merit if the director is, in place of the consumer in a test case situation or in a meritorious case, able to bring the action in the place of the consumer. I would submit that the amendment should be carried.

I have another amendment to this same section.

Mr. Chairman: Do you want to place it?

Mr. Lawlor: I would like to speak on this particular one first, because it's lengthy and difficult. It's called a representative type of action. It introduces the director into the midst of the marketplace and makes him

play a dynamic and central role, the kind of role which I thought, listening to the parliamentary assistant at Osgoode Hall and other places, he would be most anxious that his director occupy. I suspect at the end of the day he'll bow his head, albeit in somewhat stern approval of the legislation as it stands.

I would like to refer in this regard to the Consumers' Association of Canada brief to the committee of the Legislature:

> We are strongly of the opinion that Bill 55 should include a provision similar to section 24 of the British Columbia Trade Practices Act, permitting the director to sue on behalf of the consumer where the public interest would be served by this. Such a provision would add considerable muscle to the department's general mediation functions in consumer complaints and would provide an avenue for getting test cases on important issues of principle before the courts. Such a provision has existed in south Australian consumer legislation for two years now, and reports indicate that while it has been used sparingly, its presence has proved an invaluable lever in mediation activities.

That's the basic thrust of the thing. It's lengthy, I admit, but it's simple in concept and in prospect and I would seek to prevail very much upon the minister, if he wants to give efficacy to the legislation, and why shouldn't he? He knows better than most members of this House, with long experience, that for most people, however good the legislation might be on the books of the province, one way or another the taking of action in courts is an inhibitory sanction whether you win or lose in a case, because you end up paying your lawyer regardless; you have two sets of costs and you're out of pocket at the end of the day, no matter what you want to do.

Second, most people simply will not venture into the arena of the courts on the hazard that's involved in those proceedings. Third, there is the straight convenience of the thing, taking a day off work, maybe two days, particularly if it's a small claims court situation—although I would think that most of the cases the director would take would either be at the county court level or the Supreme Court level, because these are important cases. They are, so to speak, test cases to test what the law is in the application of the courts in this branch of industry, which has a wide aspect to it and which is affecting a lot of people in the province.

Why should the private citizen bear the burden for the common weal? There is the weird notion that we are all aristocrats with endless amounts of money to be expended upon the various court functions and to put into the pockets of lawyers. That is simply outdated; not a 20th century concept any more. The role of government is at least that. It has a kind of paternalistic function in this particular regard. Consumer legislation would be impossible if that weren't the central conception of it.

So I am asking the minister and the parliamentary assistant to move in this particular regard, adopt this particular amendment. It is in all the other legislation. Why on earth isn't it in yours?

I think the only reason we have to argue about the matter at all tonight is because your minister took sick at the time. It wasn't his fault. He was amenable, as I understand it; and I suspect that you very well might be amenable too. I really wait on tenterhooks on what you have to say on this one.

Mr. Chairman: The member for Ottawa Centre.

Mr. Roy: Mr. Chairman, if I might make a few comments on—Ottawa East.

Mr. Chairman: Ottawa East, I am sorry.

Mr. Roy: Damn it all, Ottawa East. It is the centre of Ottawa, but it is Ottawa East.

Mr. Chairman: The Chairman apologizes.

Mr. Roy: Mr. Chairman, I am surprised at the response given by the parliamentary assistant to the amendment proposed by the member for Riverdale. You rejected the amendment out of hand, and yet you were up on your feet not more than 10 minutes ago arguing vigorously that you were serious about giving the consumer protection under this legislation. In fact you were prepared to go as far as to trample on some of the rights of the vendor or other people in the marketplace, in other words, in order to give the consumer full protection when I was expressing some concern about double jeopardy.

Mr. Drea: That is not what I said, get the story straight.

Mr. Roy: Yet, when an amendment is offered like this amendment, which exists in the BC legislation and various states of the US in their consumer legislation, it is rejected out of hand.

I am surprised, because, as the member for Lakeshore mentioned, one of the main reasons people will not go to court is because of the expense involved. We know that a percentage of small claims are not processed because often it costs more money to submit the claim than you are going to get back.

You could have a situation as well where you could have a whole ream of consumers, for instance, a sort of class action. It would be an ideal situation in which the director, on behalf of all these consumers, could take this action and process it through.

I would be very much surprised, for instance, if a consumer got into a situation where he wanted to sue and went down to legal aid. We may well expect some amendments to legal aid regulations, for instance, a class action, because there were briefs presented to legal aid and we don't have the report yet. But I would be very much surprised if you went to legal aid and you could, in fact, get legal aid to get you to support your claim.

In the light of this situation where you say you want to do everything possible for the consumer, I can't really understand why you would not accept an amendment as valid as this one.

What can possibly be wrong with giving power to the director to institute an action on behalf of the consumer, or to substitute on behalf of the consumer in one of these actions?

It exists in other legislation in this province. As you know, under the Crown Attorneys Act, the Crown attorney can take over the prosecution of a private prosecution if he wants to. He has that jurisdiction. It is not precedent-setting, even in this very conservative jurisdiction.

So I would suggest to you that this reasonable amendment will not cause panic, let's say in the financial community or in the business community, and would really be something that would give evidence of this government and this Legislature's intent of protecting the consumer. Because no matter how good your legislation is, if the financial impediments or other aspects of it make it difficult for the consumer—whether he's got to take time off or whether he's going to go in the hole paying a lawyer to go to court to see his claim through—this would be a situation which would help the consumer in fact.

I really can't understand your attitude towards this amendment.

Mr. Chairman: The member for Downsview.

Mr. Singer: Mr. Chairman, I find no difficulty whatsoever in supporting the amendment moved by the member for Riverdale. For far too long we've enshrined in our system of law the so-called majesty of the adversary system.

The adversary system is fine, presuming the people who go before the courts are equal and have resort to equal opportunity for representation, equal opportunity for talent that can represent them, equal opportunity for familiarity with the laws that affect them. But as we move into the type of statute that we can call An Act to Prohibit Unfair Practices in Sales to Consumers, surely we have to begin to look at a somewhat different concept.

We think it's good that the government moves away from the idea of caveat emptor —"only the rich shall prevail; only the strong shall win". As the government moves away from that, as we change our concepts of law, then we have to provide the mechanics, the tools and the ability to call to account the people who might have committed the kinds of sins that we're legislating against. And, since we're going to have a director who is a public official, then we should give him the responsibility of initiating action and calling to account those people who are apparently committing the sins that the Legislature has seen fit to delineate. As I understand it, and I've just read it again, that is the thrust of the amendment moved by the hon. member for Riverdale.

My colleague from Ottawa East said that he is surprised at the parliamentary assistant's opposing it. I haven't heard the parliamentary assistant speak on this amendment. I would hope when he does speak that he will be able to accept the kind of thinking that we're applying to it. He shakes his head "no." Well, if he can't, then I feel very sorry that he isn't able to bring the government along to this kind of concept. It's the sort of thing that we've been moving to.

It's the sort of thing we've been moving to in our fair employment practices; we've been moving to in our anti-discrimination legislation—some of us have been trying to move to it in our concepts of what the public trustee should be doing. I've been trying to move to it in what my concept is of what an ombudsman might be doing. This is the kind of thinking that I think Legislatures have to do.

At the time when we're considering an Act such as this one, Bill 55, an Act to protect the public against unfair practices in sales to consumers, then we have to cloak the public official who is setting it up—the registrar, the man in charge—with the power to go out by himself in appropriate cases, and to take the necessary action at the expense of the public, the expense of all of us, to make sure that these things are looked after.

Therefore, as I say, Mr. Chairman, I have no hesitancy whatsoever in supporting this amendment moved by the hon. member for Riverdale.

Mr. Chairman: Does the hon. parliamentary assistant wish to comment?

Mr. Drea: Yes, Mr. Chairman. First of all I would like to disabuse the hon. member for Ottawa East of his remarks that I've rejected this out of hand. Had you ever condescended to appear in the standing committee it would have been very apparent to you that the member for Riverdale and the member for Lakeshore have, in one form or another, advanced this proposed amendment throughout those committee hearings. It has been discussed over and over again. And I think it would have been most unfair not to indicate to the member for Riverdale that there had been no change in government thinking. So I wasn't rejecting it out of hand without reading it or anything else. This went on many an evening and many an afternoon in the committee session in public. And I know full well the intent of that amendment. I would also like to point out, Mr. Chairman, that there is a kind of suggestion here that the director without this amendment is going to be left relatively impotent. First of all I would draw the members' attention to section 7 where he can order an unfair practice to cease.

Mr. Lawlor: That is not the same thing.

Mr. Drea: He can order that. When the order is not complied with, he can prosecute. That takes care of one aspect of it. What the particular aspect of this amendment would have the director empowered to do is to start, I think the words that are used are "representative actions," on behalf of perhaps one but with implications for many. I much prefer the more honest statement that some of the people made, or the more honest description, a class action under another name.

Mr. Renwick: It is not really a class action.

Mr. Lawlor: It is not a class action.

Mr. Renwick: This is a substituted action. Couldn't you be accurate?

Mr. Drea: Mr. Chairman, philosphically, I am not really opposed to the principles that the member for Downsview advanced.

Mr. Lawlor: Don't become a philosopher. You will get lost.

Mr. Drea: However, I seriously question it in this bill. This is a very specific regulatory bill. It deals with specific, unfair practices which are defined in such a way that they cover the broadest spectrum possible, unconscionable transactions as specific and anticipatory as anybody could make, but nonetheless in the whole ambit even finally giving the right to have an unfair practice, although within substantial limitations, particularly in regard to prosecutions. Therefore, I rather resent the implications that we trample on people's rights.

Mr. Roy: You are certainly going to, if you reject the amendment.

Mr. Drea: Look, if you ever came to the committee you wouldn't be bothering us tonight. I'm speaking in reply to the member for Downsview.

Mr. Roy: I can make representation wherever I want.

Mr. Chairman: Debate the amendment.

Mr. Drea: It would be nice if you came. I see you so seldom it's really a thrill.

Mr. Roy: The less I see of you, the better.

Mr. Chairman: Debate the amendment.

Mr. Drea: If I was a Liberal I'd say that too.

Mr. Chairman: Order, please.

Mr. Drea: There is a section in there in which an unfair practice, even in anticipation of something that is slowly coming, before it can even be defined by legislative statute, can be done by regulation. That is the so-called self-destruct clause, by which unless that unfair practice or whatever it is is not confirmed by the Legislature by statute at its next sitting, it therefore does destruct. I say it can with some limitations, because it has been agreed there will be no prosecutions until that specific section is confirmed by statutes. I think that, philosophically looking

at it from the other side, the member for Downsview would agree with that.

Mr. Lawlor: Are you trying to say in your roundabout way that you are not prepared to accept the amendment?

Mr. Drea: I have listened to you all night.

Mr. Lawlor: Is that what you are seeking to get to?

Mr. Drea: I listened to one speech of yours and I didn't know whether you were here or whether you were outside. Just for once, you are going to have to listen to me.

Mr. Chairman: Order, please.

Mr. Lawlor: Why don't you have the bloody honesty to get to it? If you reject it, reject it and sit down. Then we will know where you stand.

Mr. Chairman: Order, please, let's return to debate the amendment.

Mr. Lawlor: That's what I said to you earlier. It's all palaver. You haven't even kissed the blarney stone. How do you get away with it?

Mr. Chairman: Order, please.

Mr. Drea: I can assure the member for Lakeshore, much to his discomfort, I have kissed the blarney stone.

An hon. member: You must have kissed Patrick.

Mr. Drea: No, I draw the line at that one.

Mr. Lawlor: You do.

Hon. A. Grossman (Provincial Secretary for Resources Development): I must have walked into the wrong place.

Mr. Chairman: Order, please. Shall we return to debating the amendment?

Mr. J. E. Stokes (Thunder Bay): He wasn't hanging from his heels, though.

Mr. Drea: This is declaratory legislation. The whole thrust of this is that unfair practices will and can be stopped. There are specific remedies for consumers in a great many areas—the right of rescission. We've already agreed, by the fact it was almost unanimous, that section 5 be deleted, that the act of rescission in itself is not a total thing that goes all the way across the board. It is my concern that the director, since he already has the powers to order the practitioner of an unfair practice to cease and desist and, if the person does not, to have the prosecution, the very fact of ordering a practitioner to cease and desist an unfair practice is a declaration that an unfair practice has been going on.

Mr. Lawlor: That does nothing for the already injured consumer.

Mr. Drea: It enables them to go to the courts—

Mr. Lawlor: Come off it.

Mr. Drea: —with a very straightforward proposition. If it didn't enable them to go to the courts with that straightforward proposition, I would really be inclined—

Mr. Lawlor: Good.

Mr. Drea: —even within the strict confines of this bill, to support, perhaps not the wording but certainly the general intent of the member for Riverdale. But I think in view of the fact that by virtue of the fact that he can declare a thing to be an unfair practice and order a practitioner to cease and desist—

Mr. Lawlor: How does that help the poor consumer who has been bilked?

Mr. Drea: —and there are specific remedies spelled out for the consumer—

Interjection by an hon. member.

Mr. Drea: —which can come about in two ways; first, there can be a voluntary compliance, and I think that would be all to the better, but second, if there is not a voluntary—

Mr. Roy: You don't understand your own legislation.

Mr. Drea: I understand my own legislation.

An hon. member: I'll explain it to you.

Mr. Germa: You don't understand it yourself; you really don't.

Mr. Drea: Well, once again, that party is divided.

Mr. Chairman: Will the hon. parliamentary assistant continue?

Mr. Drea: By virtue of the fact that there is a very specific remedy for the consumer that will be applied by the courts and, indeed, even when the service is consumed—and a great many of these educational, instructional, recreational, social, what have you, are

going to be consumed—there are specific references to the courts—I really feel at this time that the consumer—

Mr. Singer: Yes, but only at the behest of an individual consumer and at his expense.

Mr. Drea: Pardon?

Mr. Singer: Only at the behest of an individual consumer and at his expense.

Mr. Drea: The behest of the consumer, yes, if he is involved at all in an unfair business practice—

Interjection by an hon. member.

Mr. Drea: —but surely when he has a declaration from the government and there is not a voluntary compliance, which means that the rescission in itself is not the remedy, there has to be a turnback of funds—

Mr. Renwick: Of course it is. Of course it is.

Mr. Drea: —all right, well that's not voluntary—there is an almost instant movement into the courts. It is not going to be a long, involved, terribly expensive case for the solicitor.

Mr. Lawlor: Of course it is.

Mr. Renwick: Of course it is.

Mr. Drea: He's not going to have to do all kinds of extensive research. The thing is almost decided before it goes to court.

Interjection by an hon. member.

Mr. Drea: Yes, it is the matter of the case.

Mr. Lawlor: It's a black day when Peter Lougheed has a lot brighter view as to what it is about than you do.

Mr. Drea: I'm not so sure that Peter Lougheed, if he took a look at our bill, would feel that he would prefer ours.

Mr. Lawlor: Look at it.

Mr. Drea: —would require all the things that he has in his own.

Mr. Lawlor: Take a look at his bill.

Mr. Chairman: Order, please. Let's debate the amendment.

Mr. Roy: You are not comparing yourself to Peter Lougheed, are you?

Mr. Singer: Let's not stack this.

Mr. Drea: Do you want to vote on it? Fine.

Mr. Lawlor: Let's not stack it.

Mr. Drea: I suggest to you that the ministry is not prepared to accept this amendment. I say, in particular response to the member for Lakeshore, I have discussed not only this proposed amendment but a number of others with the minister of that day, and the minister of that day assures me that he wouldn't act any differently than I am acting now.

Mr. Lawlor: Today his mind is on other things.

Mr. Drea: I have consulted with the minister of this day, who has been fully informed—

Mr. Lawlor: —my blue-eyed friend, absorb a bit of knowledge around you.

Mr. Drea: —and I am informed by him that he wouldn't act any differently than I am acting now.

Mr. Lawlor: We expected you to reject all the other points, but we didn't think you would throw this out. We thought you would go for this.

Mr. Drea: So let's just put that down. There was no change in government policy despite the illness of the former minister.

Mr. Lawlor: We thought you had enough; you haven't. You are just dreadful.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, I want to make one point for the record, and make it very clear; the parliamentary assistant again was rewriting history. It is very clear that this particular amendment found very strong sympathy with the former minister, now the Attorney General (Mr. Clement). In the hearings of that committee he was empathetic toward the arguments which were put forward on behalf of the Consumers' Association of Canada about this amendment. I have the feeling that, had he not taken ill, this amendment would quite likely have been accepted. But from the moment the parliamentary assistant moved in on this bill it has become rigid, closed-minded and restricted; more restricted than it would otherwise have been. We were making very substantial progress on this particular issue.

The minister doesn't understand that when you move from the criminal field to the consumer field, you must provide a broad range of remedies through the administrative pro-

cedures, through administrative law and through the civil court suit. One of the ways that you ensure justice in meritorious cases is to provide a power in the director to select those typical cases which require to be tested in the court and which no individual plaintiff is able to maintain in a court because of the time, the cost and the work involved in it.

The argument need not be repeated. The member for Downsview indicated that it was about time we divided on one of these matters of principle. This is a matter of principle, and I would suggest that we call the vote on the amendment and divide.

Mr. Drea: Just before you do, Mr. Chairman, I just want to reiterate this about the former minister's empathy and sympathy. I have discussed this with him on several occasions after his recovery from his illness. I specifically directed to him that there have been certain statements made that he was sympathetic, on the verge, teetering on the brink or ready to go ahead with an amendment or a clause similar if not identical in intent to this.

Mr. Chairman, I want to tell the House that I am told by the minister of that day, who is the present Attorney General, that while he found some of the concepts interesting, at no time then or now would he be prepared to accept such an amendment. I say that to specifically clear the record.

Mr. Lawlor: That's great news for those who are most concerned.

Mr. Renwick: That's great news for the consumer. Another defeat for the consumer.

Mr. Chairman: The member for Ottawa East.

Mr. Roy: I just want to make one comment in support of the amendment to bring to the parliamentary assistant's attention that even in the criminal field, the Law Reform Commission is suggesting that you get away from the punitive measures—jail, fines and orders. To them, the most helpful deterrent is that when an individual has been wronged, you make restitution to him. It's all very well to send someone off to jail, to have an order against him to have him in contempt of court or something else, but if the fellow is out $200, $300 or $400, it's not helping him very much. This is where this type of of an amendment would be important.

You would be following the trend of modern law today in trying to say that when a consumer has been wronged and if he faces another wrong and doesn't have the finances to carry on his own action, a director can act on his behalf. You would be following the trend. You wouldn't be setting a precedent. I can't see why you can't accept this amendment.

Mr. Chairman: All those in favour of the amendment as proposed by Mr. Renwick will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Shall this vote be stacked?

Some hon. members: No.

Mr. Chairman: Then we shall deal with all the stacked amendments to this point.

The first amendment was moved by Mr. Renwick that clause (f) of section 1 of Bill 55 be amended by deleting the words "chattels personal" in the first line and substituting therefor the words "tangible personal property," and by deleting the word "chattels" in the third line and substituting therefor the words "tangible personal property."

The committee divided on Mr. Renwick's amendment, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 10, the "nays" are 53.

Mr. Chairman: I declare the amendment lost and section 1 (f), carried.

In the second amendment, Mr. Renwick moves that clause (i) of section 1 be amended to read as follows:

> Services means services of every nature and kind, including without limitation services provided in respect of goods or of real property.

Mr. J. R. Breithaupt (Kitchener): Take the same vote.

Mr. Chairman: Is it the wish of the House that we take the same count? Agreed.

The committee divided on Mr. Renwick's amendment to section 1(i), which was negatived on the same vote.

Mr. Chairman: I declare the amendment lost and the subsection carried.

Section 1 agreed to.

Mr. Chairman: The last amendment we are dealing with at the present time was moved by Mr. Renwick. It is quite a lengthy one. Shall we take it as previously read?

The committee divided on Mr. Renwick's amendment to section 6, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 21, the "nays" are 42.

Mr. Chairman: I declare the amendment lost and section 6 carried.

Section 6 agreed to.

Mr. Chairman: Are there any other comments, questions or amendments to any other section of the bill? The hon. member for Riverdale, which section?

Mr. Renwick: Section 7.

Mr. Chairman: Let the hon. member proceed.

Mr. Lawlor: Don't go too far. There will be another vote.

Mr. Renwick: I did have a further amendment to section 6, but that has gone now. Is that right? I will have to put it into section 7. I will put it into section 7. I have three amendments for section 7. I think I had better put each of them in so that I am certain to get the vote.

Mr. Chairman: Order, please. The Chair is having difficulty hearing the hon. member.

Mr. Renwick: The first amendment could be succinctly called a corrective advertising order.

Mr. Renwick moves that section 7 be amended by adding thereto subsection 8 as follows:

> Where the director or tribunal makes an order under this section or where the court grants relief under section 4, the director, tribunal or court, as the case may be, may make a further order requiring the person to advertise to the public particulars of any order, judgement or other relief granted, and any order made under this subsection may prescribe:
>
> (a) the methods of making the advertisement so that it will ensure prompt and reasonable communications to consumers;
>
> (b) the content, form or both of the advertisement;
>
> (c) the number of times the advertisement is to be made; and
>
> (d) such other conditions as are considered proper.

Mr. Renwick: The second amendment to section 7 could be referred to as an ad substantiation power.

Mr. Renwick moves that section 7 be amended by adding thereto subsection 9 as follows:

> Where a person makes or has made a consumer representation, the director may order that person to provide him material possessed by that person at the time the consumer representation is or was made, substantiating or purporting to substantiate the truth or accuracy of that consumer representation and may order disclosure of the substantiating material.

Mr. Renwick moves that section 7 be further amended by adding thereto the following subsection 10 as follows:

> Where a consumer believes on reasonable and probable grounds, that any person is engaging or has engaged in an unfair practice and the director refuses to make an order under subsection 1, the consumer may serve notice on the director requiring a hearing by the tribunal of the refusal of the director, whereupon the tribunal shall appoint a time for and hold the hearing and may, by order, uphold the refusal of the director or direct the director to make the order provided for in subsection 1.

Mr. Lawlor: You have to accept that one. That's sheer equity.

Mr. Ferrier: That is as clear as the clearest water.

Mr. Chairman: The member for Riverdale has moved three amendments to section 7. I assume that we should deal with them in the order they were placed.

Is there any further discussion on amendment No. 1?

Mr. Drea: Mr. Chairman, in light of the considerable discussion in the standing committee, the proposed amendment is totally unacceptable to the ministry. I would point out to the House that it is redundant. It is already covered by subsection 6. Indeed, this would be a limitation of section 7(6) in view of the fact that subsection 6 reads: "The tribunal may attach such terms and conditions to its orders as it considers proper to give effect to the purposes of this Act." That is all-inclusive and broad. The impact of this proposed amendment would be to severely limit what is already in subsection 6.

Mr. Renwick: That's ridiculous.

Mr. Drea: It is absolutely accurate.

Mr. Chairman: All those in favour—

Mr. Lawlor: No. Mr. Chairman—

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: The parliamentary assistant can't get away with that type of persiflage and harassment, or whatever the devil it is that he's trying to pull off here tonight.

Mr. Drea: Mr. Chairman, on a point of order—

Mr. Lawlor: You haven't got a point of order. Sit down!

Mr. Drea: On a point of order—

Mr. Lawlor: Sit down, blandishment.

Mr. Drea: Mr. Chairman, in the course of this debate tonight—

Mr. Lawlor: Don't play games with this House!

Mr. Ferrier: No more persiflage.

Mr. Drea: No, I've got a point of order.

Mr. Stokes: Nothing is out of order.

Mr. Chairman: Order.

Mr. Drea: Mr. Chairman, on a point of order—

Mr. Lawlor: Mr. Chairman, he seeks to cut somebody off in mid-flight—

Mr. Drea: I am not cutting anybody off, Mr. Chairman. I have a point of order and I would like to speak to it.

Mr. Chairman, during the course of this debate tonight I have been called several adjectives and a number of nouns. I have been called a beggar, my ancestry in Ireland has been substantially questioned—and, Mr. Chairman, I am hardly a person who has a thin skin.

Mr. Stokes: You are mortally wounded.

Mr. Roy: That is not a point of order.

Mr. Drea: And I would respectfully suggest to the Chair that if the member for Lakeshore is going to continue on with these antics that he raise the level of the debate back to the particular sections of Bill 55 that he has some cause to dispute.

Mr. Chairman: The Chair does not contend that that is a point of order. The hon. member for Lakeshore will continue.

Mr. Lawlor: That is an objective, considered judgment, if I may say so. Talk about thin skinned! The other word for it is known as paranoia.

Mr. Chairman: Order, please. I wonder if the member for Lakeshore would confine his arguments and debate to the amendment?

Mr. Lawlor: No, the member for Lakeshore won't—I'll be damned.

Mr. Chairman: Order.

Mr. Lawlor: Listen, you dunce.

Mr. Chairman: Order, please. I would ask the hon. member to withdraw that comment.

Mr. Lawlor: Last week—

Mr. Chairman: I would ask the hon. member to withdraw the comment.

Mr. Lawlor: Last week at a very private low-brow meeting on the island of Mozambique, which is just off the coast of West Africa, they had had this particular recommendation about advertising, supplying the particulars and making them correct in public print, their misrepresentations which induced all the buying, etc. This has been a long accepted and perfectly cognizable feature of the culture of Mozambique. Now why in blazes in Ontario—the people are still living largely in the stone age. People like him have reached the brazen—they are in the brass. They haven't reached the age of iron.

Interjections by hon. members.

Mr. Lawlor: Really! We thought that this at least would be acceptable.

Hon. Mr. Grossman: Mr. Chairman, how about getting that in English? Only two languages are allowed here: French and English.

Mr. Lawlor: Are you so intransigent, so purblind, so iron-heeled, so woebegone—

Mr. Breithaupt: So torn.

Mr. Lawlor: Torn? Son of a puppet. If you could tear him you might move him. No, no—there is no torn.

Mr. Chairman: Order, please. The Chair finds the hon. member's comments most interesting; but let's return to the principle of the debate.

Mr. J. F. Foulds (Port Arthur): You have no sense of style.

Mr. Lawlor: Mr. Chairman, the attempt is not to be interesting, but only to get some decent legislation on these books. I mean, I am dead serious. The only time I joke is when I'm dead serious. This is the end of the road. You, as the apostle, carrying your damned little cross up and down Bay St. in front of the court house. I have listened to you for three years now. You have represented to the lawyers and to every assembly I have attended, to the board over here at the University of Toronto—

Mr. C. E. McIlveen (Oshawa): You are off the section.

Mr. H. C. Parrot (Oxford): Two minutes warning

Mr. Lawlor: The Province of Ontario, you said, was culpably negligent and totally abstentious with respect to consumer legislation. And what do you do? As soon as you get an iota of power—

Mr. Drea: I will tell you what I do. I have had about enough of you.

Mr. Lawlor: What do you do? You sell out. You don't do a damn thing when you are asked to attend upon it. Here is your opportunity; do something!

Mr. Drea: Don't you ever use those words about me.

Mr. Chairman: Order.

Mr. Lawlor: Make a tiny tinpot hero of yourself, do something. But what do you do?

Mr. Drea: I have just about had enough of you. If there is one thing I am, it is consistent. The bill is entirely consistent with government policy.

Mr. Chairman: Order, please.

Mr. Lawlor: I had some hope for you.

Mr. Chairman: Order, please I would say the Chair has had enough too. Let us continue in an orderly fashion.

Interjections by hon. members.

Hon. Mr. Grossman moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and progress on a second bill and asks for leave to sit again.

Report agreed to.

Mr. A. J. Roy (Ottawa East): It didn't get much progress.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, can we be advised if we are intended to continue with this bill tomorrow morning?

Mr. F. Drea (Scarborough Centre): The reply comes tomorrow morning.

Mr. Roy: Reply.

Mr. I. Deans (Wentworth): We can hardly wait. Wow!

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): This bill will be continuing tomorrow until its conclusion, and then we will proceed to order No. 3.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Thursday, February 6, 1975

Unfair Business Practices Act, bill to prohibit, in committee 7355

Motion to adjourn, Mr. Winkler, agreed to 7377



No. 176

Ontario

Legislature of Ontario Debates

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Fourth Session of the Twenty-Ninth Legislature

Friday, February 7, 1975

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, FEBRUARY 7, 1975

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

ALGONQUIN COLLEGE

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, last fall the board of governors of Algonquin College of Applied Arts and Technology met with me to request additional funding, primarily to cover anticipated increases in faculty salaries as a result of the collective bargaining agreement.

In the course of that meeting it was mutually agreed that an independent study should be made of the overall financial situation at Algonquin College. A consulting firm has been engaged in this study since January and will be reporting early in March to myself and to the chairman of Algonquin's board of governors.

I understand that the consultants are receiving excellent co-operation from the board of governors, the college administration and from the ministry's staff. It is, therefore, surprising to hear of a conjecture about dismissals, layoffs and the cancellation of classes before all the financial facts are verified and laid on the table.

Until I have received the consultants' report, I will have no other statement to make, except to offer the assurance that this government would not countenance a disruption of Algonquin College's services to the community on the scale purported.

INQUIRY INTO DUMP TRUCK OPERATIONS

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, in response to questions in the House in recent weeks, I have indicated to the House that it was my intention to hold an inquiry into the for-hire operation of dump trucks in the Province of Ontario in the transportation of sand, gravel, rock, roadbuilding materials and aggregates.

The ministry has received representations from a number of associations representing dump truck operators, alleging that there are circumstances which inhibit the operation of dump trucks on a paying basis. Such circumstances are the adequacy of trucking rates, the number of dump trucks available in relation to demand for their services, the desire of local truckers to participate in local projects, overloading practices as a means of increasing revenue and the resulting potential danger from mechanically unfit vehicles as a result of such practices.

The inquiry which I propose will:

Examine and evaluate the availability of dump trucks in relation to the demand for their services, and also in relation to different areas of the province, for example eastern Ontario, northeastern Ontario, northwestern Ontario, central and western Ontario;

Establish the trucking rates in effect during 1974 for the areas defined, and establish whether such rates were compensatory, including consideration of financing arrangements between vendor and purchaser of new and used dump trucks;

Establish the contractual relationships in effect between the quarry or pit operator, the construction contractor and the dump truck operator;

Determine the essential criteria for the establishment of a proper rate;

Examine the advantages and disadvantages of control of entry into the industry and establish ways and means of effectively controlling such entry.

I am extremely pleased to announce that Mr. M. L. Rapoport, QC, will be appointed commissioner to conduct the enquiry. Since graduation as a lawyer in 1936, Mr. Rapoport has devoted his whole career to transportation law, with particular emphasis on highway transportation. His experience has been related both to the purchasers of transportation and to the carriers. His experience and reputation place him among the leading practitioners of transportation law. He has represented both shippers and carriers in the courts and before federal and provincial government transportation tribunals. He has also

contributed a number of leading articles on transportation law to trade magazines.

He was a founding member of the Canadian Institute of Traffic and Transportation, past member of the faculty of Queen's University on extracurricular transportation, and was chairman of the board of directors of Doctors' Hospital in Toronto.

With further reference to questions in the House in this matter, I advised the House that I was reviewing the statutory authority that would permit the declaration of a moratorium on the issuance of further public and commercial vehicle licences for dump trucks. My legal advisers are of the opinion that the Public Commercial Vehicles Act would authorize the cessation of the issuance of operating licences, however there is no authority to refuse the issuance of a vehicle licence under the Public Commercial Vehicles Act.

In other words, it would be possible to limit the number of operators but it would not be possible to limit the number of vehicles that could be operated by such operators. Therefore, I am not satisfied that a moratorium in these circumstances would be effective or appropriate. Neither am I satisfied that a moratorium would be in the public interest in all circumstances, in that it may result in unreasonable limitations of trucking services available to any particular construction project undertaken in any particular area of the province.

Mr. Speaker: Oral questions.

The member for Kitchener.

ALGONQUIN COLLEGE

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, following the statement made by the Minister of Colleges and Universities, and noting the recent press comment on this subject, can the minister, first of all, advise if possible how the situation would have developed that has led to this proposal, made just a day or so ago, which presumably because of financial problems, has led to the suggestion of dismissal of a large number of staff and also curtailing enrolment? Does he know whether the finances have been satisfactory; and if that is a problem, can he tell us when he expects the report to which he referred?

Hon. Mr. Auld: Mr. Speaker, perhaps dumbfounded isn't the word, but I was very surprised when I read yesterday what had been announced by, I believe, the vice-president academic to the board on Thursday—

Mr. Breithaupt: Vice-president of administration.

Hon. Mr. Auld: On Wednesday, rather; the vice-president of administration was quoted in the paper this morning, I believe it was the vice-president academic who made the proposal to the board, which was at a public meeting I gather.

The board, as I said in the statement, met with me, I believe it was on Nov. 27, over a number of things, but particularly their concern about a possible deficit in the current year. There was some question on the part of our own staff about the figures they were anticipating, so we mutually agreed that we would have a consultant; in this case, it's a partner of Woods Gordon, who has met with them and with us.

To answer the last part of the member's question, the target date is March 14 but they may be finished a little sooner because it seems to be going well.

The thing that surprises me so much is that there would have been this proposal before receipt of the report, which will have a great bearing on what the situation will be at Algonquin.

Mr. Speaker: The hon. member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Mr. Speaker, in his answer to my colleague, the minister stated that he was somewhat dumbfounded by the approach announced by Algonquin College. Is he not aware that apparently all the community colleges since the announcement some time ago regarding universities, have complained to him that they are getting less per student than the universities and that in view of his policy, the announcement this week was inevitable? Why would the minister be dumbfounded when in fact the community college presidents have conveyed their financial difficulties to him?

Hon. Mr. Auld: Mr. Speaker, I would have to take issue with my hon. friend. All the rest of the colleges have indicated that they have to tighten their belts and that it's going to be difficult. None of them has suggested anything on the scale comparable to what has been suggested at Algonquin.

Furthermore, it's well to remember that while the percentage increase in the case of the colleges was not as great as for the universities, in fact it was almost the same, because last year's original budget, on which the percentage was based, was increased during the year by some additional funds. So

actually there is not much difference. But, of course, the situation is slightly different anyway.

I should also say that in the college situation we have the manpower training programme, which is fully supported by the government of Canada and which varies a great deal. This is a continuing problem with some of the institutions because it is very difficult for them to do long-range planning in terms of faculty, for instance, when it's sort of a year-to-year selling of service.

Mr. Roy: May I ask one further supplementary?

Mr. Speaker: One further supplementary.

Mr. Roy: Mr. Speaker, is the minister saying that Algonquin College is the only community college that is facing this kind of financial difficulty? And if that is so—

Hon. Mr. Auld: No, Mr. Speaker. I said a moment ago that they are all having to tighten their belts but Algonquin, which I think has a total full-time enrolment of about 8,000, is the only one that has talked about not accepting 2,300 or 2,500 students and laying off 135 faculty and a large number of administrative people. As I said, I just don't believe that would ever happen; it would be unnecessary.

Mr. Speaker: The member for—

Mr. Roy: Mr. Speaker, I didn't complete my supplementary.

Hon. Mr. Rhodes: It is not a debate.

Mr. Roy: If I might just complete my supplementary, would Algonquin College have added problems because of the fact they have instituted a bilingual programme on the campus?

Hon. Mr. Auld: Mr. Speaker, that may well be part of the problem, and that's one of the things we hope the management people will be looking at. Of course, they get a substantial grant—I haven't the figure at my fingertips but I have it here in the book—for their bilingual programme. But it is sometimes a little difficult to establish to mutual satisfaction what those costs are.

Mr. Speaker: The hon. member for Windsor West with a final supplementary.

Mr. E. J. Bounsall (Windsor West): Mr. Speaker, is the minister aware that very similar financial difficulties to those that are occurring at Algonquin have given rise to a meeting this coming Wednesday at the University of Windsor, the topic being whether or not they can continue or will have to close down?

Hon. Mr. Auld: I'm not aware of any meeting at Windsor. Is it a normal internal board meeting or an administrative meeting?

Mr. Bounsall: They have called a meeting of the entire university community to discuss whether they can continue operation or will have to close down for this coming year.

Hon. Mr. Auld: Mr. Speaker, I am not aware of that meeting but I think it unlikely that Windsor would be closing down.

Mr. Speaker: The hon. member for Kitchener.

DISPOSAL OF LIQUID WASTES

Mr. Breithaupt: A question of the Minister of the Environment, Mr. Speaker: Since the minister's officials are concerned and perhaps are suspicious that many toxic industrial liquid wastes are being dumped on farmlands instead of being properly dealt with and that this problem appears to exist particularly in the Waterloo region, can the minister now give us any report as to the problems that are suspected, that these wastes perhaps are being dumped into abandoned gravel pits where they could add substantially to very serious pollution of water systems?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, there are certain sites that are set aside for this purpose in various parts of the province, depending on the type of liquid waste, whether it's organic or inorganic liquid waste. There are some landfill sites which are approved for certain kinds of liquid waste disposal. There are times when individuals are paid to take waste to one of those sites and they do drop it off some place where they should not. We do have some staff in the field, and wherever we can catch these people or are informed about it, the necessary charges are laid.

Mr. M. Shulman (High Park): Where is the waste being dumped from Johns-Manville?

Hon. W. Newman: What kind of waste is the member talking about?

Mr. Shulman: I am referring to asbestos waste that they cart out of there in trucks twice a week.

Hon. W. Newman: I don't know. I can find out. But I would imagine it would be going to a landfill site.

Mr. Shulman: Would the minister find out please?

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Supplementary on that point: As it would appear that the small independent haulers who, normally are hauling septic tank sludge, could be involved in this problem, is there any intention to develop a further kind of a supervision programme so that this kind of problem can be more closely monitored, and hopefully stopped?

Hon. W. Newman: Mr. Speaker, if the member is talking about septic tank haulers, they will all be licensed hopefully by the end of this year and will have to carry a licence under the Ministry of the Environment. We hope to have that in place by about the end of this year.

Mr. Speaker: Any further questions?

PICKERING AIRPORT

Mr. Breithaupt: Just one further question of the Minister of Transportation and Communications, Mr. Speaker: As it would appear there is a ring road proposed around the new Pickering airport that apparently would obliterate the Green River townsite, can the minister advise us if the roads that are proposed will be provincial roads and will the province be involved in contracting the building of them, or will the funds be coming from the federal government to develop the road pattern which is proposed in that area?

Hon. Mr. Rhodes: Mr. Speaker, at this point I don't think we can say exactly where the jurisdiction will lie because we have only recently got into any sort of discussion with the federal government as to what sort of involvement we would have for the provision of ground transportation to the airport. My understanding is that there will be a contact made some time today between officials in my ministry and the Ministry of Transport in Ottawa to begin some discussion about what our involvement will be. So I don't think I can accurately answer the member to whose responsibility it would be and what our involvement would be in that particular ring road situation.

Mr. Breithaupt: When that is decided, will the minister make a statement with respect to that particular responsibility?

Hon. Mr. Rhodes: Yes Mr. Speaker, I think that once the whole situation has been resolved as to what is going to happen out there, I'm sure that it will all be made very public, at least I sincerely hope so; at least our involvement will be, I can't speak for Mr. Marchand.

Mr. Speaker: The hon. member for Wentworth.

ATHABASCA TAR SANDS

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker, I have a question of the Treasurer. Given the statement last evening by Patrick McFadden on "As It Happens" with regard to the negotiations which took place in Alberta over the Syncrude deal, that the Ontario delegation was kept some considerable distance away from the actual negotiations for a period of time during the crucial and critical part of the negotiations, will the Treasurer—

Hon. W. D. McKeough: (Treasurer and Minister of Intergovernmental Affairs): Who said this?

Mr. Deans: Patrick McFadden said it last evening on "As It Happens."

Mr. Roy: Another one of the minister's—

Mr. Deans: Will the Treasurer take some steps to put before the public of Ontario the position Ontario took initially with regard to the Syncrude deal, along with whatever information was available to Ontario prior to the delegation going to Alberta, in order to make us aware, and the public aware of how Ontario arrived at its position; and also to determine whether Ontario did in fact have access to the complete study, rather than just the summary of the engineering study that was supposedly completed but not yet tabled in Alberta?

Hon. Mr. McKeough: I have no idea what was said on television last night.

Mr. Deans. Radio.

Hon. Mr. McKeough: Or radio, Mr. Speaker; but it is not correct. It is true there were a number of bilateral discussions which went on during the course of the day, and we were involved in meetings which others weren't involved in and vice versa. The ma-

jority of the time was spent with all six participants in the room.

With respect to the second part of the question, I think the answer would have to be no; not from the point of view of denying access to certain papers to members of the House but from the point of view that what papers and studies there are are in—

Mr. P. J. Yakabuski (Renfrew South): In good hands.

Hon. Mr. McKeough: —in good hands; and are in various places. We have no report per se as to what our evaluation was. A great deal of it was done on the basis of discussions, on the basis of figures being put in front of us, on the basis of informed advice. To table a document does not give a complete picture at all, so I think the answer would have to be no.

Mr. Deans: Supplementary: Did Ontario go to the meetings with a prepared position?

Mr. Roy: Blindly!

Mr. Deans: Did the minister have available to him prior to leaving this province the information with regard to the studies that were completed, did he have the summary of the engineering study available to him prior to going to Alberta? Was there a position that Ontario was prepared to put forward before they arrived there, and was that then negotiated? Or did he just arrive and sit down and listen and then nod his head?

Hon. Mr. McKeough: No. Ontario had worked out a number of positions in advance, the basic position being that we believed this was in the national interest and in the Ontario interest; and if we could be helpful, then we would be helpful. That was the basic position we took to the meeting, based on a number of facts.

Mr. Deans: One final supplementary question: In his effort to be helpful, whose advice did the minister get with regard to the actual value, the actual cost of the project that is—

Mr. Yakabuski: Sure as heck not the member's.

Mr. L. C. Henderson (Lambton): The member was not very helpful.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Wentworth is asking a supplementary question.

Mr. Deans: It is okay. I don't think the member for Renfrew South knows much more about this than I do, and I think that we all have the right to know.

Mr. Yakabuski: It is a good deal.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Deans: I just happen to think the people of Ontario have the right to know when the government spends $100 million. What I am asking is how did the Treasurer arrive—

Interjections by hon. members.

Mr. Yakabuski: It's a good deal.

Mr. Speaker: Order please. The hon. member has a right to ask a supplementary. We'd like to hear it.

Mr. Deans: How did the minister arrive at the decision that the $2 billion was a reasonable figure and that the $100 million that Ontario was going to invest was an investment well taken? And how does he justify the Premier's (Mr. Davis) position that it is something like the original involvement in the railroads? Does that mean the Province of Ontario will be forever subsidizing the Syncrude operation?

Mr. Yakabuski: Mr. Speaker, how long is this going on?

Mr. Speaker: Order.

Mr. Deans: Until I am finished.

Hon. Mr. McKeough: Mr. Speaker, there are several questions there. The original figure going way back on the Syncrude project was $750 million. The base figure of some time ago was $1.2 billion. The studies which we did and which others did of Canadian Bechtel's revised Syncrude estimate from $1.2 to $2 billion, works out on the basis of about 70 per cent inflation and perhaps 30 per cent improvements and modifications during the time from the preliminary design stage to the stage of final engineering, including contract awards.

The escalation in costs from roughly $1 billion to $2 billion over the last two or three-year period is not surprising. The Petrosar project, for example, was originally estimated at just over $200 million. It is now priced at close to $450 million. The refinery at Nanticoke which was originally conceived as a $200 million project by Texaco is now over

$400 million. The original Pickering project was in the neighborhood of $760 million. The duplication of Pickering should be cheaper because there are certain economies and efficiencies in the doubling of Pickering. I think the latest figure there is about $1.2 billion or $1.3 billion.

We are all aware that there has been an enormous amount of inflation in the economy in the last two years. Nowhere has the inflation been more pronounced than in the construction field, in the area of steel and of heavy equipment. The costs have escalated enormously in all that area.

We were and are satisfied that the $2 billion figure is the best estimate that can be made at this point. People who looked at it in greater depth than we did—and I am quick to say that—found variables of plus one per cent and minus two per cent, but on balance felt that the $2 billion was on, with the figure still built in for inflation and for escalation in costs over the next three or four years which is an enormous figure. The highest figure I have heard suggested as an over-run, depending on rates of inflation, is possibly five per cent.

The other part of the member's question was how can the Premier compare this to the building of the railway. He might have used the building of the trans-Canada pipeline as perhaps something more current. He might have talked about our commitment to the nuclear programme at Pickering, which was a gamble of nearly $1 billion. He might have referred to the Seaway in Mr. Frost's time.

Mr. Deans: He might have talked about a public project.

Hon. Mr. McKeough: What he was talking about is faith in this country, faith in the people of this country in doing something. That's what this party is dedicated to. We are not dedicated to tearing things down the way the small-minded people are over there.

Mr. J. A. Renwick (Riverdale): Faith in Imperial Oil, that is what the minister is talking about.

Mr. Deans: He was talking about the government's decision to take public funds and put them into private corporations.

Interjections by hon. members.

Mr. Speaker: Order please. Does the member for Kitchener have a supplementary?

Mr. Renwick: The government will be taken by Imperial Oil, just as the federal government was taken by the CPR and still is.

Mr. Speaker: We have a supplementary by the member for Kitchener. Order please.

Mr. J. E. Stokes (Thunder Bay): It took the Treasurer 28 minutes, but he finally got to it.

Mr. Breithaupt: On the record of the House, are we correct that the commitment of funds in fact may be increased to a five per cent result, just as the federal government's commitment may also be increased proportionately, if there is some over-run? We are committed to the five per cent, of which we expect $100 million to be the likely total. Is that correct?

Hon. Mr. McKeough: No, we are not committed to anything. We are committed to five per cent of the total. We are an equity shareholder. If costs escalated, I suppose we would have the choice of saying in some way that we are pulling out. I just don't know how one could conceive of that at this moment.

Mr. Deans: The government could try to find some other sucker to buy its share.

Mr. Renwick: It could sell out.

Hon. Mr. McKeough: We are an equity shareholder. It will be available to the new consortium, whatever form it may take, to Syncrude Ltd. if I can put it that way, with new shareholders, which organization has not yet been negotiated or put in print, and which will take some months or some weeks at any rate to complete, to borrow on the credit so that the cash flow might well be held to $100 million. But we would be responsible, for example, for five per cent of a debt which might be incurred. Our responsibility would be there, but perhaps not the cash flow.

The other point that has to be made is that one of the variables in the $2 billion figure, and I think this will take some weeks if not months to sort out, is the evaluation of the sunk costs of ARCO. That's not going to be sorted out overnight; and that could reduce the figure somewhat, depending how much is left in.

Mr. D. C. MacDonald (York South): Supplementary: May I ask the provincial Treasurer, has Ontario got a copy of the most recent Alberta study that I understand has been completed but not yet released? Has the government a copy, and if so will it be tabled in this House?

Hon. Mr. McKeough: We have copies of a number of studies—

Mr. MacDonald: I mean the most recent one, the Loran International engineering feasibility study.

Hon. Mr. McKeough: There were studies tabled in the Alberta House on Tuesday which are public documents and we will make them available.

Mr. MacDonald: Only a summary of the latter. My question was, and I repeat it, has Ontario got a complete study?

Hon. Mr. McKeough: We will not table what has not been tabled in the Alberta Legislature.

Mr. Deans: Does the minister have a copy?

Mr. MacDonald: My question, I repeat for the third time, has Ontario got a copy, a complete copy not the summary, of the Loran International engineering feasibility study?

Hon. Mr. McKeough: Yes.

Mr. MacDonald: Yes; but the minister won't table it?

Hon. Mr. McKeough: No.

Mr. MacDonald: Does the minister believe it is confidential as Lougheed does?

Interjection by hon. member.

Hon. Mr. McKeough: The government of Alberta believes it is confidential. If they were prepared to table it, then obviously we would have no objection to tabling it.

Mr. MacDonald: I wonder what they've got to hide, the both of them?

Mr. Roy: Supplementary.

Mr. Speaker: The hon. member for Ottawa East. A final supplementary on this.

Mr. Roy: When the minister talks about tabling documents, in fact when his leader talks about tabling documents would that include the agreement arrived at by all the partners, including the federal, the two provinces and the oil companies? Would it include that?

Mr. Yakabuski: The member should get that from his federal friends!

Hon. Mr. McKeough: When that agreement is ultimately signed?

Mr. Roy: Yes; the government has a signed, written agreement with—

Hon. Mr. McKeough: Do we?

Mr. MacDonald: It's a verbal agreement?

Mr. Roy: Yes.

Hon. Mr. McKeough: There isn't a piece of paper in existence at this moment in time.

Mr. Roy: The government doesn't have it down in writing?

Hon. Mr. McKeough: No.

Mr. Roy: Oh wow!

Mr. Speaker: The hon. member for Wentworth, further questions?

Mr. Deans: Very quickly, a question to the—

Hon. Mr. McKeough: But when the agreement is signed, I would see no reason why it would not be made available.

Mr. Deans: It would be nice to get information in advance.

Mr. Renwick: It would be nice to get it before the shareholders of Imperial Oil got it.

Mr. Deans: It would be nice to know the basis of it too.

HAMILTON TRADE CONVENTION CENTRE

Mr. Deans: A question of the Minister of Government Services: Given the inflation the Treasurer speaks about that's been built into the Syncrude operation, will the Minister of Government Services reconsider his position with regard to the Hamilton Trade Convention Centre? Will he consider making more money available to try and offset the inflation the Treasurer recognizes has taken place in all construction in the Province of Ontario?

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker I heard the last part of the question. Would the hon. member repeat the first part? I didn't realize—

Mr. Deans: I'll try, okay? Given the position the Treasurer has put forward with regard to the inflation that has affected all construction in Ontario, will the Minister of Government Services reconsider his position with regard to making more money available for the development of the Hamilton Trade Convention Centre to try and adequately meet the 100 per cent or more additional cost

which the city of Hamilton is going to have to bear over the 1971 projected figures?

Hon. Mr. Snow: First of all, let me explain, Mr. Speaker, that the first commitment of this government to the Trade Convention Centre was in the amount of $3 million.

Mr. Deans: The first commitment was by John Robarts in 1967, pre-election.

Hon. Mr. Snow: That was not the case, Mr. Speaker.

Mr. Deans: It certainly was.

Hon. Mr. Snow: The first commitment for the Trade Convention Centre was in the amount of $3 million made in 1971. The Trade and Convention Centre did not proceed at that time, although it had been worked at continuously and co-operatively between officials of the city of Hamilton and officials of my ministry.

The city of Hamilton approached the government about a year ago requesting that we reconsider the amount of our contribution. We did so at that time, and based on inflation in the construction industry from the date of our original commitment until mid-1975 when the project is expected to go to tender, we increased our commitment by 50 per cent.

Mr. Deans: From $3 million to $4.5 million.

Hon. Mr. Snow: From $3 million to $4.5 million.

Mr. Deans: The cost of the project has gone completely—

Mr. Speaker: Order please.

Hon. Mr. Snow: Just a moment, Mr. Speaker. I would appreciate being able to answer the hon. member's question.

Mr. Yakabuski: He doesn't want an answer. He wants to hear himself.

Hon. Mr. Snow: He spent a great deal of time in commentary in asking the question, I'd like to reply fully.

Mr. Speaker: Please proceed.

Mr. Roy: Yes, hurry up.

Hon. Mr. Snow: Mr. Speaker, the estimate of the officials of my ministry on the inflation rate in the construction industry—that is, building construction, which I point out is not the same as the heavy construction industry, which the Treasurer was speaking about—would be 4 per cent at the highest from the date of our original commitment to mid-1975. So I recommended, and Management Board approved, that we should increase the commitment from $3 million to $4.5 million, which fully took into account the inflation factor.

Mr. Roy: This is a statement.

Hon. Mr. Snow: The reason for the increase in the cost of the centre is that a great many additional criteria have been added by the city of Hamilton. They have decided they wanted additional things that were not originally anticipated, and this has escalated the cost.

Mr. Yakabuski: Flairs and frills.

Hon. Mr. Snow: I would also point out, Mr. Speaker, that in addition to our original agreement, this government agreed to build the underground parking garage under the Trade and Convention Centre which was originally to be completely funded by the city of Hamilton.

Mr. Deans: That's because the government is building an office block.

Hon. Mr. Snow: We agreed to build this because we were building an office building in the complex.

Mr. Deans: It will facilitate the government's needs!

Mr. Speaker: Order, please.

Hon. Mr. Snow: I would like to point out, Mr. Speaker, that the cost of the underground parking garage has escalated considerably and we have assured the city of Hamilton that we will pick up all the cost escalation in the underground parking garage.

Mr. Deans: How much has it escalated?

Hon. Mr. Snow: The first estimate I had from my officials for the parking garage was $2 million. It is now going to cost more than $3 million; I believe it is $3 million or some such figure.

Mr. Deans: I thought there was only a 48 per cent increase since 1971.

Mr. Speaker: Order, please. We are still receiving the answer to the question.

Hon. Mr. Snow: I would also point out that we are accepting any increase in our share of the cost of the central utilities plant which is being built, and of course we are accepting the total cost of the office tower. So, Mr. Speaker, I think we have accepted

our full share of any increase and any commitment that has been made.

Mr. Speaker: Any further questions? The member for Renfrew South.

CONSERVATION OF ENERGY

Mr. Yakabuski: Mr. Speaker, I have a question of the Treasurer.

Mr. Deans: Is that why the member was so noisy? He finally had something to say.

Mr. Yakabuski: In view of the statement of Mr. Macdonald, the federal Minister of Energy, Mines and Resources, in Ottawa yesterday, and his pleading for voluntary restraints insofar as the conservation of energy is concerned, would the Treasurer feel that the comment of the former Treasurer in April, 1973, which I believe went like this, "Turn down your thermostats and put on a sweater," doesn't look all that bad now? And wouldn't he say that the former Treasurer was two years ahead of his Ottawa counterpart?

Mr. Shulman: Is the member bringing back the energy tax?

Mr. Roy: Wasn't it a good idea to put a seven per cent tax on energy?

Mr. R. S. Smith (Nipissing): What about a second sweater.

Mr. Breithaupt: They all have bulky sweaters on.

Hon. Mr. McKeough: Mr. Speaker, the answer is yes. I would just comment—and perhaps my colleague, the Minister of Energy (Mr. Timbrell), might like to comment as well—that the remarkable thing is that it only took Ottawa two years; often it is five or 10 year.

Mr. R. S. Smith: That was between 1957 and 1958.

Mr. V. M. Singer (Downsview): A final supplementary: Is the Treasurer going to take up his predecessor's suggestion and reimpose a seven per cent tax on energy in his next budget?

Mr. Deans: Is the member suggesting it?

Mr. Singer: No, no. Since he thinks it is such a good idea, I just want to know if that is his contention.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): Wait and see.

Mr. W. Hodgson (York North): Why doesn't the member ask them that in Windsor?

Mr. D. W. Ewen (Wentworth North): Does the member feel that it is something he would recommend?

Mr. W. Hodgson: Why is he so interested?

Mr. Ewen: The member should bring it up at his party's convention.

Mr. R. G. Hodgson (Victoria-Haliburton): It's a pretty poor defence of his Ottawa counterparts.

Hon. Mr. McKeough: Mr. Speaker, I would suggest to my friend from Downsview that he control himself and wait for the budget. In the fullness of time all will be unveiled to him and he will once again feel secure in the promised land.

Mr. Speaker: The member for Downsview with a new question.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. Singer: Mr. Speaker, I have a question of the Minister of Transportation and Communications.

In view of his announcement this morning about the inquiry into the trucking industry—

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, on a point of order, is this a supplementary question?

Mr. Speaker: The first question was a supplementary; this is a new question.

Mr. Singer: Yes. In view of the minister's announcement about the inquiry into the trucking industry and the appointment of Mr. Rapoport, has the minister any idea when Mr. Rapoport is going to commence his inquiry? Has there been a time limit put on it? And isn't the time limit important in that there should be a report to government as quickly as possible since the minister says he is unable to restrict the issuance of licences?

Hon. Mr. Rhodes: Mr. Speaker, my information is that the gentleman will be prepared to start immediately and get the basic staff he is going to need to get started. That will be taken care of very quickly. We haven't put a specific time limit on the inquiry, however I have been advised that it should take a maximum of two months to

carry out the inquiry. He feels he can handle it in that time.

I recognize, Mr. Speaker—I'll take just a moment—there are some pressures, and we recognize these pressures, upon the industry; so does the gentleman who will be carrying out the inquiry. But there are a number of matters that have to be brought in, that I related in the statement. We want this to go as quickly as possible, and certainly we want to have this thing completed before the major construction season gets under way.

Mr. M. C. Germa (Sudbury): A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary from the member for Sudbury.

Mr. Germa: Is the minister not aware of the problem created by out-of-province trucks coming into Ontario during the construction season, particularly in the eastern part of the province? Will he consider broadening the terms of reference for Mr. Rapoport to include looking into the problem created by out-of-province trucks coming in during the construction period?

Hon. Mr. Rhodes: Certainly I have no intention of limiting the inquiry that Mr. Rapoport will carry out. If that is a real factor then certainly that should be considered. We are not anxious to have out-of-province trucks coming into Ontario to carry out work that our people can do themselves. But I think the hon. member is as aware as I am that there are certain parts of this province where there is not the overabundance of dump trucks available for major jobs. The north and the east are certainly two such areas.

Mr. Germa: Is it now included?

Hon. Mr. Rhodes: It will be; it's not now.

Mr. Speaker: The member for Windsor West has a question?

COLGATE STRIKE

Mr. Bounsall: I have a question of the Minister of Labour, Mr. Speaker. What involvement have he or his mediation staff had in the three-week-old Colgate strike in east Toronto, bearing in mind that the only issue seems to be one of a monetary nature, that it's the lowest paying soap company in North America and that they still charge the same price for their soap products as any other soap company?

Mr. Germa: That's a slippery outfit.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, Mr. McGuire of our mediation and conciliation service has met with these people. We're continuing to work with them and hope that settlement will be brought about in due course.

Mr. T. P. Reid (Rainy River): A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary?

Mr. Reid: This may not be exactly supplementary—

Interjections by hon. members.

Mr. Reid: —but has the minister been approached by the United Steelworkers to mediate the dispute between themselves and their office workers?

Mr. MacDonald: That is not a supplementary.

Hon. Mr. MacBeth: No, but we'll be glad to help them if they need some help.

Mr. Speaker: The member for Ottawa East.

COMPUTER BILLING ERRORS

Mr. Roy: Thank you, Mr. Speaker. I have a question of the minister responsible for the protection of consumers. In view of the extensive use of computers and credit cards in this province, and in fact the billing practice emanating from the use of computers, does he plan any legislation to protect the consumer when the computer, in fact, bills the consumer incorrectly and then he starts getting a series of letters—

Hon. A. Grossman (Provincial Secretary for Resources Development): Jail the computer.

Mr. Roy: —where the consumer's response is, in fact, neglected? Does he plan to do anything about that?

Hon. Mr. Grossman: Jail is too good for it.

Hon. Mr. Handleman: Mr. Speaker, having recently had personal experience in trying to argue with a computer, I found the best way to do that is to put a pin in the computer card and then somebody has to look at it. However, I would be pleased to see if this is going to be a very serious problem. Certainly the provincial government is aware of its responsibilities to consumers.

Mr. Roy: Is the minister recommending that?

Mr. Breithaupt: Is that government policy?

Mr. Deans: Is the minister recommending that?

Mr. Breithaupt: Do not fold, staple or mutilate.

Mr. Roy: May I have a supplementary?

Mr. Speaker: You may have a supplementary.

Mr. Roy: Mr. Speaker, may I ask the minister whether he will support my private member's bill which will, in fact, annul a bill under $50 if the computer doesn't give a reasonable response within 90 days and, secondly, will allow the consumer to collect as much as $100 from the computer firm if it continues violating the Act?

Hon. Mr. Handleman: Mr. Speaker, I can assure the hon. member that his private bill is being studied very carefully in my ministry for any merit which it might contain. Certainly if there are good ideas we will take them from any source.

Mr. Speaker: The member for Sandwich-Riverside.

SWEDISH WASTE TREATMENT SYSTEM

Mr. F. A. Burr (Sandwich-Riverside): I have a question of the Minister of Housing. Is the minister considering the use of the Swedish home waste treatment system, both for sewage and garbage, known as Clivus Multrum for the past 30 years, and now available on this continent—a system which, if used in every home in a new residential community, would make unnecessary both sanitary sewers and a sewage treatment plant and would reduce the community's need for water by about 50 per cent?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, our ministry always considers any alternatives to the present methods. We are looking into that particular method. It's not necessarily something which we can accept as being feasible in Ontario or in Canada because it works in another country.

Mr. Renwick: Of course not.

Hon. Mr. Irvine: So what I'm saying to the hon. member is this: We are aware of that method, and we will look into it and determine whether or not it is feasible. I don't think it is at the present time.

Mr. Burr: What possible conditions could make a system not work in Canada, when it works in Sweden and the United States?

Mr. Breithaupt: We know how those Swedes are.

Hon. Mr. Irvine: Mr. Speaker, that is a technical question that should be answered by the technical experts. I don't think the hon. member is an expert in all fields of technology.

Mr. Renwick: He certainly is.

Hon. Mr. Irvine: Any more than any other member in this House.

An hon. member: He tries to be. Everytime a science digest comes out he has a question.

Mr. Renwick: He is. That's where the minister is wrong—he is.

Mr. Speaker: The Minister of Labour has the answer to a question asked previously.

WATT AND FANTASIA HOLDINGS LTD.

Hon. Mr. MacBeth: Mr. Speaker, just a short answer to a question from the Leader of the New Democratic Party (Mr. Lewis). He asked me to investigate a company by the name of Watt and Fantasia Holdings Ltd. We have made certain inquiries and have not found anything to connect the firm of Watt and Fantasia Holdings Ltd., with the recent strike at Rexall Drug Co. in Mississauga.

Mr. Speaker: The hon. member for Huron.

DAYCARE SERVICES

Mr. J. Riddell (Huron): Mr. Speaker, I have a question of the Minister of Community and Social Services. In view of a recent editorial entitled "Where's Our Daycare Centre?" which appeared in one of the renowned weekly newspapers in Huron county, I'm wondering if he is able to indicate whether Management Board have looked favourably upon his request to extend the funding for daycare centres? Or if indeed the Management Board has approved an increase in fundings for daycare centres across Ontario?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, Management Board always looks favourably upon me. I think the hon. member has written to me—

Mr. MacDonald: Who is the minister kidding?

Hon. Mr. Grossman: Getting the dough, that's something else.

Hon. Mr. Brunelle: I believe he has written to me about his daycare centre and this is the one in question in Huron? Is that correct?

Mr. Riddell: Yes, at Seaforth.

Hon. Mr. Brunelle: Did the member not get a favourable reply? It was my understanding that consideration was being given to that daycare centre. I'd be pleased, Mr. Speaker, to see the hon. member after the question period to find out just what the status of his application is.

Mr. Speaker: The hon. member for Thunder Bay.

YOUNG TRAVELLERS PROGRAMME

Mr. Stokes: Yes, I have a question of the provincial Treasurer. Is the provincial Treasurer aware there are dozens of schools in northwestern Ontario anxiously waiting to find out whether or not the Ontario Young Travellers Programme is going to be extended beyond this fiscal year? Is he aware that a good many of them have to plan for those trips now? Is there any way the Treasurer can assure them that this programme—it has received wide acceptance throughout the north—will be continued beyond March 31?

Hon. Mr. McKeough: Mr. Speaker, no, I was not aware of that; but I will make it my business to become aware and speak to the Minister of Education (Mr. Wells) about it, perhaps he might have something to say.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: A supplementary.

Mr. Foulds: In his investigation, can the Treasurer find out whether or not the new programme has limited the Young Travellers Programme to a range of 300 miles? In the case of northwestern Ontario that would restrict them very severely in coming down to Toronto.

Mr. Speaker: The hon. member for Nipissing.

ONTARIO NORTHLAND TRANSPORTATION COMMISSION

Mr. R. S. Smith: Mr. Speaker, I have a question of the Minister of Transportation and Communications. Will the minister table the feasibility study that apparently has been done under aegis of the Ontario Northland Transportation Commission in regard to rail passenger service into northeastern Ontario and the new technology that is now available to provide that? Secondly, will the minister indicate what steps he has taken since his estimates, when he indicated he would look into the question of making an application to the Canadian Transport Commission in regard to the losses that are suffered by the ONR insofar as their rail passenger services are concerned?

Hon. Mr. Rhodes: Mr. Speaker, in response to the first part of the question I haven't received a copy of that report as yet, so I'm unable to table it.

As to the second part, I have been in contact with the officials in the Ontario Northland and requested them to make the necessary inquiries as related to the matter of funding available from the federal government for losses on the operation of passenger service. I've received nothing back to this date.

Mr. R. S. Smith: Supplementary, Mr. Speaker: Will the minister table the first report when he does receive it; if and when the ONR finds the time to send it to him? Secondly, would he get the reply to the second question from the ONR within the next year or so, or are we going to have to wait another four or five years—

Mr. Roy: Next election maybe.

Mr. R. S. Smith: —and miss all the benefits of the federal money that is going down the drain?

Hon. Mr. Rhodes: Mr. Speaker, I don't think I have to take that sort of criticism about waiting a year. I haven't waited a year. The question was placed to me, I made the inquiry. As to whether it is coming back, very often any delays that we experience in trying to get information from the federal government—

Mr. Roy: Oh yes, it's the feds.

Hon. Mr. Rhodes: —isn't on the receiving end. Why doesn't the member use some of his influence, if he has any anywhere?

Mr. Roy: Why doesn't the minister ask me?

Mr. R. S. Smith: I want to make the point that I brought this to the attention of the

minister and his predecessors for six years in a row.

Hon. Mr. Rhodes: Mr. Speaker, I want to respond to that. I can't be responsible for what happened six years ago anymore than the people in the member's riding can be responsible for him.

Mr. Roy: There is no continuity in this government.

Mr. Speaker: The hon. member for High Park.

HAMILTON HARBOUR INVESTIGATION

Mr. Shulman: I have a question of the Attorney General, notice of which has been given. Is it not true that his ministry has in its possession evidence, including a tape recording, linking a prominent politician with the Hamilton harbour scandal? Is it also not true that the non-elected officials in his ministry recommended to his predecessor that charges be laid against that official? Why has the Attorney General not laid the charges which were to have been laid yesterday?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, the hon. member asked me those questions outside the House and I refused to answer them. The matter is still before the court. The Hamilton matter is still before the courts in Hamilton. It is inappropriate, and would be most inappropriate for me, to pass commentary either privately or publicly relating to the criminal charges against any individual in this province. I have no intention of responding to the member's inquiry.

Mr. Shulman: Supplementary, Mr. Speaker: Let me make it quite clear that I am not referring to the charges before the courts. I am referring to charges the Attorney General has not laid, against a person who has not been named, yet which his non-elected officials have recommended be laid. I am asking has there been political interference to prevent those charges being laid.

Hon. Mr. Clement: Mr. Speaker, there has been no political interference respecting anyone in connection with any charges, be they applicable to Hamilton or any other area. I hope the member is not suggesting there has been political interference in my ministry when it comes to a criminal matter.

Mr. Shulman: Yes, I am suggesting it very strongly.

Hon. Mr. Clement: If the member wants to make it public, then let him go ahead and do so, but I will not engage in any dialogue or debate in this House affecting criminal charges which may or may not be pending against any individual in this province.

Mr. Speaker: The hon. member for Rainy River.

NORTHWESTERN ONTARIO HYDRO REPORT

Mr. Reid: Mr. Speaker, I'd like to have the honour of asking the Minister of Energy a question. I think it is the first one he has had.

Mr. Singer: Oh that nice young man! He's a great suitcase carrier and he goes to Winnipeg very well.

Mr. Roy: Did he enjoy the trip with the big boys to Winnipeg?

Mr. Reid: Can the minister inform me whether he has received a report from Ontario Hydro in regard to the new facilities for Ontario Hydro in northwestern Ontario, hopefully the report that was going to recommend Atikokan as the site of the new facility?

Hon. D. R. Timbrell (Minister of Energy): No, Mr. Speaker.

Mr. MacDonald: I have a new question.

Mr. Roy: Mine is a new question.

Mr. Speaker: The hon. member for York South has a new question first then.

EMPLOYEE GRATUITIES

Mr. MacDonald: I have a question of the Minister of Labour. Is the minister aware of a widespread practice, in the food and beverage service industry, whereby an employee is forced by management to rebate to management one or two per cent of his daily gross sales out of his income? If the minister is aware of this practice, does he approve of it? And if he doesn't approve of it, would he be willing to consider some legislative denial of that?

Hon. Mr. MacBeth: Mr. Speaker, I am aware of some practices where they rebate all of their tips to management. I don't think it's very widespread, and I hope it's not. As far as a proportion, some percentage, going

back, that's a different angle. I'm not aware of that, although I suppose those arrangements can be made.

As I said in the House the other day, certainly we could pass legislation to make the gratuities the sole property of the employee and to say that any agreement of this nature would be null and void. But, sir, I don't think we should do that for various reasons that I mentioned the other day.

Mr. MacDonald: Supplementary question: Would the minister investigate how widespread is the practice of a mandatory percentage rebate—one or two per cent—from gross sales by the employees from his income to management?

Hon. Mr. MacBeth: Mr. Speaker, I haven't heard of that practice, but we'll investigate it. If the hon. member for York South has any information for me, I know he'll be glad to share it with me.

Hon. Mr. Grossman: In the great socialist society they are not allowed to accept a tip.

Mr. MacDonald: That may be a good idea.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Handleman presented the annual report of the Liquor Control Board of Ontario for the year ending March 31, 1974.

Mr. J. A. Taylor from the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 133, An Act to establish the Ontario Land Corp.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

Mr. Deans: Mr. Speaker, before the orders of the day, I wonder if I could ask the government House leader to consider a matter that is causing some concern? The personnel who are interested in both the Crown Employees' Collective Bargaining Act and the Workmen's Compensation Board are the same people; and the people interested in business being conducted in the House are, generally speaking, the same people.

We have both committees sitting simultaneously today, which it makes it extremely difficult for the people involved, as he can appreciate. Both of those matters are very closely related, so that it would be impossible to divide the forces up in such a way as to have it adequately covered by people who are knowledgeable in both fields. I wonder if it would be possible to have but one committee sit this morning in order that we can deal adequately with that and then perhaps on Monday go back to the other committee for the remaining work to be done?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, with my particular problem I have taken a position that we wouldn't sit here while the other two committees were sitting. This is the first day this week when two other committees were not involved, and I appreciate the problem the hon. members face. I am faced with exactly the same problem.

However, I think that I have been sufficiently generous in the course of the week to fend for the other two groups, and I would really like to proceed this morning. If there is to be a stand-down of one of the committees, I would think that it would be the committee hearing the Workmen's Compensation Board and not ours.

Mr. Deans: I don't care which one, as long as we only have one.

Hon. Mr. Winkler: I'll speak to the chairman.

Hon. Mr. MacBeth: Mr. Speaker, if I might just speak to that, I think the officials from the WCB are here. I don't know who all were involved in the other committee—but we do have a good number here and would like to proceed.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bill was given third reading upon motion:

Bill 182, An Act to amend the Municipal Act.

Hon. Mr. McKeough moves third reading of Bill 133, An Act to establish the Ontario Land Corp.

Mr. Speaker: Shall the motion carry?

Mr. V. M. Singer (Downsview): No, no.

Mr. Speaker: Those in favour of third reading of Bill 133 will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

I declare the motion carried.

Motion agreed to; third reading of the bill.

Clerk of the House: The third order, House in committee of the whole.

UNFAIR BUSINESS PRACTICES ACT
(concluded)

House in committee on Bill 55, An Act to Prohibit Unfair Practices in Sales to Consumers.

On section 7:

Mr. F. Drea (Scarborough Centre): Mr. Chairman, before the commencement of the committee, in view of some of the discordances toward the end last night, I think it might be beneficial to review the situation. There were three proposed amendments to section 7. I think that before the committee adjourned I had dealt with the first proposed amendment, but it might be in order at this time if the member for Riverdale would read the second and third parts of that amendment to section 7.

Mr. J. A. Renwick (Riverdale): Mr. Chairman, perhaps we could deal with them one at a time.

Mr. Drea: Mr. Chairman, with all due respect, we had dealt with the first one. There had been full discussion on the first one and I had replied.

Mr. Renwick: I recognize that. I say the next two we could deal with one at a time.

Mr. Drea: Oh, all right, fine, yes.

Mr. Chairman: Perhaps we could deal with the first amendment moved by Mr. Renwick. This deals with section 7 and would be a new subsection.

Mr. Drea: That has been dealt with, Mr. Chairman. The second and third have not.

Mr. Chairman: We haven't taken a vote on that one. I think this is the one we were discussing, wasn't it?

Mr. Renwick: That's right.

Mr. Chairman: It would read:

> Where the director or tribunal makes an order under this section or where the court grants relief under section 4, the director, tribunal or court, as the case may be, may make a further order requiring the person to advertise to the public particulars of any order, judgement or other relief granted.

I would ask the hon. member for Riverdale, this is not another subsection? This just continues on, the reading here?

Mr. Renwick: Yes.

Mr. Chairman: To continue:

> Any order made under this subsection may prescribe:
>
> (a) the methods of making the advertisement so that it will assure prompt and reasonable communications to consumers;
>
> (b) the content or form or both of the advertisement is to be made; and
>
> (d) such other conditions as are considered proper.

Shall the motion carry?

All those in favour of Mr. Renwick's motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it; the amendment is defeated.

The Chair will read the second amendment made by the hon. member for Riverdale. Perhaps the hon. member might refresh the Chair's memory as to which of these amendments was placed first last night.

Mr. Renwick: The one, Mr. Chairman, which is referred to at the top as the ad substantiation power.

Mr. Chairman: We will deal with that amendment. It reads:

> Where a person makes or has made a consumer representation, the director may order that person to provide to him material possessed by that person at the time the consumer's representation is or was made, substantiating or purporting to substantiate the truth or accuracy of that consumer representation, and may order disclosure of the substantiating material.

Is there any discussion on this amendment?

Mr. Renwick: Mr. Chairman, I don't think there need to be very much discussion on it. The merit of the amendment, of course, is obvious. It is an attempt to ensure, where advertisements, particularly of nationally advertised products, make representations about matters that the public cannot know about, that the director would have power to require the substantiating data be made available to

him, and in proper cases, made available to the public to substantiate the claims which are being made.

Mr. Chairman: The hon. parliamentary assistant.

Mr. Drea: Mr. Chairman, I see merit in this but the difficulty is, as I said in committee, with respect to the hon. member for Riverdale, I take it that this is substantially the same as the proposals for a monitoring-of-advertising clause, which was proposed to us as a separate section, rather than in addition to this one. I see considerable merit in this, Mr. Chairman. I think that it's not too far away. But within the confines of a very strict regulatory bill which defines unfair practices, which defines unconscionable transactions, which allows for the speedy declaration of a practice or a representation to be unfair or unconscionable, subject to confirmation by the Legislature, which provides a great number of penalties, I suggest to you that desirable as it might be in principle, that particular substantiation of advertising claims or the monitoring of advertising claims, would be seriously out of place in this bill.

As I said to the representative of the Consumers' Association of Canada when this matter was raised I not only find merit in it, I have great sympathy with it; but I think it more properly belongs in a much more general statute than in a very particular and a very specialized regulatory one.

I find some merit in the remarks concerning potential double, triple or quadruple jeopardy that were made last night by the hon. member for Ottawa East. One of the concerns that I have about this particular monitoring or substantiation within the confines of this Act is that here we would be saying, in effect: "Without prejudice and without damage to you, we want you to substantiate your claims under a section of an Act that most specifically, in a substantive form in section 2, contains these very specialized definitions of unfair practices and unconscionable transactions."

So, on the basis that while it does have merit, Mr. Chairman, I think it would be seriously out of place in a bill like this; and indeed, might altogether erode some of the intent of Bill 55. I would not be prepared to accept that amendment.

Mr. Chairman: The hon. member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Mr. Chairman, can I ask the parliamentary assistant a question pertaining to this amendment? I certainly consider it to have some validity in a highly technical age and with sophistication in products, and so on. The amendment proposed may well have a lot of merit. He's not suggesting that under the bill, as it is presently drafted, the director or the tribunal has that kind of power, is he?

Mr. Drea: No, no.

Mr. Roy: So that, in fact, there is somewhat of a void there in what this amendment would cover. I just wonder, in light of the fact that this amendment was proposed in committee and now is proposed again—and you seem to think it has merit—why it could not be included?

Mr. Drea: I don't want to leave the impression that the hon. member for Riverdale formally presented this amendment in committee. He did not, in those words. He said that he was going to put forward an amendment to this intent when we returned to committee of the whole. My particular concern about it—and I make it very plain—is that the director does not have the power under this Act, and it was not envisaged that he would.

I am also somewhat concerned about the implications of Bill C-2, if and when it is ever passed. In light of certain definitions in Bill C-2 and the avoidance of duplication, I think this particular substantiation or monitoring of advertising does have merit, but not in this bill.

It may very well be, within a very brief period of time, that there will be general legislation coming from this ministry that will establish the very procedures that the hon. member for Riverdale would want in section 7 of Bill 55. On that basis, I'm not prepared to accept it for Bill 55.

Mr. Renwick: Well, the parliamentary assistant has spoken and I really don't expect him to change his mind. That is as close as we have got to any suggestion that there was any merit in any of the matters we put forward. I am delighted to know he is sufficiently open-minded this morning to feel there is some merit in that proposal.

Mr. Drea: With all due respect, Mr. Chairman, my position was made abundantly plain in committee in the representations that were made before me. I haven't changed my mind one whit from anything that went on in the committee.

Mr. Chairman: Order, please. Maybe we can continue with the debate on the issue in question.

Mr. Drea: Then how about cutting out the facetious remarks?

Mr. J. E. Stokes (Thunder Bay): Don't be so sensitive.

Mr. Chairman: Is there any further discussion on the amendment?

Mr. Renwick: Mr. Chairman, because the phrase has run through the parliamentary assistant's remarks in the course of this bill, when he refers to this as a regulatory bill as if it were regulating some particular aspects of our lives, I want to say this is a bill to establish behaviour in the marketplace. That is what the bill is about. It is designed to get away from criminal prosecutions and to provide a wider range of remedies related to administrative law and civil actions for the purpose of protecting the consumers.

The concern which we have had, ever since we found out the very limited interpretation placed upon the advertising provision of the Consumer Protection Act, is that this government, for whatever the reasons, refuses to take any position with respect to misleading advertising. Not only does it refuse to take any position with respect to misleading advertising, the government defaults in the fact that it assumes only the federal Crown will take any action about misleading advertising, because no charges have been laid by the Ministry of the Attorney General for the purpose of protecting people against misleading advertising. Nobody has to be a genius to know that high prices and misleading advertising are the two areas of immense concern to people.

This government is gun-shy about advertisements. It says it is a federal matter. Even though day in and day out it enforces the provisions of the Criminal Code relating to every other kind of offence, through the Ministry of the Attorney General, there has been no instance that I know of where a substantial case of misleading advertising, using the provisions of the Criminal Code or the Combines Investigation Act, has been launched by this government—no such case. You are gun-shy about misleading advertising. We will come to that in another section of the bill.

I am simply saying that ad substantiation is a matter that any government interested in the consumer will deal with and will not leave to the federal government.

Alternatively, a commitment could be made by the parliamentary assistant, on behalf of the ministry he represents, that the provisions of the Criminal Code and of the Combines Investigation Act relating to misleading advertising will be dealt with through the Ministry of the Attorney General or through the Minister of Consumer and Commercial Relations (Mr. Handleman) laying the information before his colleague. Rather than to say only federal prosecutors can prosecute federal matters.

That's the line that this government has been taking in consumer matters, and it doesn't operate that way. The law in force in the Province of Ontario is the law passed by this assembly and the law passed by the federal government at Ottawa and you have a responsibility to enforce it. If you won't enforce the Criminal Code provisions or the Combines Investigation Act provisions, then you have got to put it in your own statute.

Mr. Drea: Mr. Chairman, I am not going to let that one go by because once again it is half the truth, and the member for Riverdale knows it. I went into this at great length last night.

Mr. Renwick: It is the whole truth.

Mr. Drea: Under the specific regulatory Acts that we have in the ministry we have constantly moved in the area of misleading advertising, either through cease and desist orders or through more substantial penalties. However, it has been our position—

Mr. Renwick: Where? Name them. Name the incidents.

Mr. Drea: I would be prepared to.

Mr. Renwick: Name the penalties that have been imposed in this province for misleading advertising.

Mr. Drea: In committee I was prepared to read off—I think the figure was better than 200. That's to the best of my knowledge. I had a piece of paper that night that was handed to me.

Mr. Renwick: Are penalties imposed?

Mr. Stokes: Not with cease and desist orders.

Mr. Drea: Penalties are imposed—loss of licence to operate.

Mr. Renwick: We're not talking about loss of licences. That's entirely different, and you know it.

Mr. Drea: No, it's not entirely different. It's not entirely different at all.

Mr. Renwick: There are no licences provided in Bill 55.

Mr. Drea: That is quite correct.

Mr. Renwick: There are no licences provided in the Criminal Code and the Combines Investigation Act.

Mr. Drea: You know, your problem is you take a sawed-off shotgun to shoot a mouse.

Mr. J. F. Foulds (Port Arthur): If you're referring to yourself that's true.

Mr. Drea: We're not gun-shy about false and misleading advertising at all. I think we've taken a very responsible position—and that is, where it's a specific regulatory Act, we move. The director of the business practices division has moved constantly, and has moved well, and has moved efficiently.

Mr. Renwick: You are dealing with licensing and this is not a licensing bill. Don't confuse them.

Mr. Drea: I am going to go back and say it again. You said this government and this ministry are gun-shy about false and misleading advertising. Nothing could be further from the truth. I explained that last night. In terms of the Combines Investigation Act we have wanted the prosecutions to go through them because it seemed to us that this was a much more efficient manner—rather than everybody jumping into the field, rather than everybody doing the investigation.

Mr. Renwick: Don't be ridiculous. The Crown attorneys that are in the courts every day prefer the charges under the Criminal Code and that's a federal statute. Why don't you prefer charges under misleading advertising in the provincial courts through the Attorney General the way you do in other criminal life? It's because you're gun-shy.

Mr. Drea: I'm going to say it again that the record of the business practices division of this ministry would indicate that, far from being gun-shy, the business practices division is most efficient, and has built up quite a substantial record of movement on false and misleading advertising.

Mr. Chairman: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Yes, I just want to say one word on this. I don't know that actual facts are stated either by the parliamentary assistant or by the member for Riverdale. So far as the Combines Investigation Act, the Narcotics Control Act and a number of other federal matters are concerned, the federal government administers those itself. They do it through their own police officers.

Mr. Renwick: That is exactly the point. There is no reason why they administer them themselves.

Mr. Singer: They do. They do, in fact, do it.

Mr. Renwick: They don't need to do it.

Mr. Singer: The fact is that they do it, and it is accepted across Canada, and it is done in this way, and is recognized by the police, and there are lines of demarcation. There are frequent prosecutions for false and misleading advertising which are against the provisions of the Combines Investigation Act.

Mr. Drea: That is right.

Mr. Renwick: But they are not by this government.

Mr. Singer: I agree. If the member for Riverdale will understand, the arrangement—and I don't know whether it has the sanction of law or not—

Mr. Renwick: It doesn't have the sanction of law. You know that.

Mr. Singer: Will the member for Riverdale simmer down for a minute and listen? The administration of justice is charged to the province by the appropriate provision of the BNA Act. Whether or not the combines investigation statute is passed under the criminal powers and its administration becomes a question of the administration of justice or not, I don't know. Perhaps you would want to give us a constitutional essay on that point.

Mr. Renwick: You should know it. It is an elementary point.

Mr. Singer: The fact is that for many years in Canada there has been a procedure that federal officials enforce certain federal statutes. One of them is the Combines Investigation Act, another of them is the advertising section, another one is the Narcotics Control Act, another one is the federal Expropriation Power Act. There is Food and Drug, and so forth. This is the way it works. I don't think that the charge levelled at the provincial government is a fair charge be-

cause there is a system that's handling it. That's all I wanted to say.

Mr. Drea: That's right.

Mr. Chairman: All those in favour of Mr. Renwick's amendment as previously read will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

The third amendment to subsection 7 as submitted by Mr. Renwick is as follows:

> Where a consumer believes on reasonable and probable grounds that any person is lagging, or has engaged in an unfair practice, and the director refuses to make an order under subsection 1, the consumer may give notice to the director requiring a hearing by the tribunal of the refusal of the director, whereupon the tribunal shall appoint a time for and hold the hearing and may be ordered to uphold the refusal of the director or direct the director to make the order provided for in subsection 1.

Mr. Renwick: Mr. Chairman, I think this question of the access of the consumer to the tribunal with respect to a matter on which he, the consumer, on reasonable and probable grounds, feels that the director is not doing the job which he is supposed to to in a particular instance, should be a matter that goes to the tribunal.

Very briefly again, because the amendment is quite clear, I want to ask if my colleagues in the Liberal Party would seriously consider supporting this amendment. I want to refer to the letters which were addressed to the minister of this ministry, Jan. 28—to which my colleague the member for Lakeshore has already referred—from Prof. Trebilcock and from Mrs. Jackson, the president and vice-president of the Consumers' Association of Canada, and the letter of Feb. 3, 1975, to the minister from Prof. Jacob Ziegel; both of whom, as you know, act for the Consumers' Association of Canada as well as being, I suppose, the leading, most knowledgeable law professors in the field of consumer law in Canada.

Mr. Trebilcock and Mrs. Jackson say:

> Another of our proposals with which the minister expressed some sympathy was that in the event of the director refusing to propose a cease and desist order following a consumer complaint, the consumer should have the same right of appeal to the tribunal as a supplier has under the bill in the event of the director proposing to make such an order.
>
> We contended, with considerable feeling, that the appeal process should work both ways. While we made a number of other proposals, such as the inclusion of consumer class actions, etc., it is a matter of bitter disappointment to us that our more immediate proposal, with which the minister expressed sympathy during the hearings, has been totally ignored in the new version of the bill.

And part of Prof. Ziegel's letter said:

> Very few of the recommendations made in the brief filed on behalf of the Consumers' Association of Canada and the brief which I filed with the committee have been implemented. I am particularly concerned about the consumer's lack of access to the commercial registration appeal tribunal where the director himself has evinced no interest in pursuing a complaint.

I simply say that both those professors act for the Consumers' Association of Canada, both of them are knowledgeable about what is required and both of them believe that the consumer should have access in a case where there is a difference of view as to whether or not a matter should be pursued by the director. I urgently ask that the government would accept this amendment.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): A simple question, placed in the negative: Why not—

Mr. Drea: Good morning.

Mr. Lawlor: Good morning. I'm afraid I can't take off on the same high fervour at this time of the day as I was able to mount last evening. Why should not the consumer have that right of appeal? I doubt if you can think of a reason why he ought not to be able to; or if you do think, we certainly are all ears about it.

It was simply a case of tit for tat. Isn't there as much grievance on the side of the consumer? As a matter of fact, he is the complainant in most instances. He's cut off at the post in this particular legislation, whereas if in any way the supplier is called into question he has this right of appeal right up to the courts if he so wishes to avail himself of that.

I take it as an oversight. I take it that basically it wasn't very deeply considered at the time. The puzzling thing now is, can it any longer be an oversight, you having been very fully informed about the matter during the committee hearings? That's what committee hearings are all about. When you came along with your revision of the

bill, I very much expected to see it embodied. This is really one of the smaller things; maybe not smaller but more obvious thing, where you get some kind of balance and some kind of equity and what is available to one is available to the other I felt the tenor was that this is a consumers' bill directed to be of immediate benefit and impact upon the consumer and to alleviate a whole host of situations, admittedly. In a cultural area of mere procedure, he hasn't got a look in. He gets no benefit at all.

I think we could prolong it almost indefinitely in terms of the equities involved and the balances. It seems to me so appallingly simple that you would just accept it without turning a hair. Maybe it's because you are losing your hair. I don't know. Why this recalcitrance in the course of this bill?

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, I know this is the other side of the coin, but if there is an appeal to the supplier against the decision of the registrar, why shouldn't there be an appeal allowed to the consumer? It would seem that if the complaining consumer hasn't been dealt with in a manner that he feels is appropriate by the director then he should be allowed to go to the tribunal on an appeal.

Perhaps there should be some additional or specific mention of a power given to the tribunal to impose costs in the event that the appeal to the tribunal is frivolous. That would be the only sanction there. I don't see any reason why, if the director refuses to act, there shouldn't be an opportunity given to the complainant to go to the tribunal and ask that they act in place of the director or direct the director to take the appropriate course of conduct.

I think this is a reasonable amendment and we shall support it.

Mr. Roy: Mr. Chairman, I have just one word on this amendment. In most legislation that you are dealing with, even the most stringent type of legislation, criminal code or otherwise, there is always a two-way street, that if the Crown can appeal, why not the accused? If one side can appeal, why not the other? Even in legislation dealing with professionals—the Health Disciplines Act, that we passed some time ago—there is an appeal that runs both ways. I can't see why not in this bill. Using your own words, you say that you really want to protect the consumer and want to give him a full range of sanctions and remedies under this particular Act. Then why can't he appeal? I don't see anything offensive about this amendment. It makes good sense.

Mr. Chairman: Does the hon. parliamentary assistant wish to reply?

Mr. Drea: I think the member for Ottawa East touched upon it in his second last sentence. What we are concerned about is a remedy for the consumer. As the member for Downsview very well knows, costs have never been involved in appeals before the tribunal. The frivolity of the complaint really doesn't concern me. Regardless of how many of us would view a complaint, I would like always to take the position that the person who is making it makes it with the utmost seriousness and sincerity.

However, despite the fact of being able to appeal the decision of a registrar, or in this case of the director, in that there was no complaint under the Act to the tribunal, what is the remedy indeed for the consumer? All the tribunal can do is to order the registrar to look into the case or, failing that, they can direct him to say that this is an unfair practice.

Mr. Renwick: That's right.

Mr. Drea: At this point, the consumer still hasn't got his money back or what have you.

Mr. Renwick: We are not talking about that. Will you please pay attention to the amendment?

Mr. Drea: It is most difficult to pay attention to you in a consistent manner. You need a road map at all times.

Mr. Chairman: Order, please. Shall we return to the amendment?

Mr. Lawlor: We will buy the parliamentary assistant a compass so that he can see if he is NNE or SSW.

Mr. Drea: I'm certainly not left, my friend.

Mr. Lawlor: Oh, at times, you even pretend to be that.

Mr. Chairman: Order please. Will the hon. parliamentary assistant continue the debate?

Mr. Lawlor: He can't tell a hawk from a handsaw. You know what Hamlet said.

Mr. Drea: It is our position that while there are those who are sympathetic to this amendment, it really doesn't provide a remedy to the consumer. And on the basis of the

lack of remedy—it's not the concern about the frivolity; I want to emphasize that that's not my concern. The possibility of the director being upset and the impact upon administrative law don't concern me.

This amendment does not provide a better remedy for the consumer than he now has; after all, if the director refuses to issue or to investigate, the consumer has all kinds of remedies in the court. I suggest to you all that this amendment does is postpone for some period of time the actual implementation of the remedy, which in the end is going to have to be done by the court.

Mr. Renwick: You are talking through your hat.

Mr. Drea: If it provided a faster way for the consumer to get a remedy, regardless of its implications upon administrative law and regardless of some of the concerns about frivolity, I would accept it. Since it is my advice that it does not, I am not prepared to accept it.

Mr. Renwick: Of course you are not. We knew that.

Mr. Drea: You now have five people in here between the two of your parties. You pulled this one just to get a standing vote, so let's divide.

Mr. Roy: Just before we divide, may I say that what you are doing is creating sort of a vicious circle. First of all, you rejected an amendment where the director could have taken a substitutive action on behalf of the consumer.

Mr. Renwick: That's right.

Mr. Roy: Now we are saying the consumer should have a right, let's say, to appeal a decision that is directed to the tribunal.

You are going around in circles. You are saying that if he can't appeal a decision, he has still got his action. But if he doesn't have any money or something to take his action, as we know very well—those of us who practise law know there are situations where a consumer doesn't have the means or the access to a court—then the director can't take an action for him.

Mr. Drea: You mean you don't take action?

Mr. Roy: As you go along, you keep chipping away at your bill, a bill which you say is for the protection of the consumer, and yet you are consistently turning down reasonable amendments which would help the consumer.

Mr. Drea: You have voted against most of those reasonable amendments.

Mr. Roy: I voted for reasonable amendments, and these two were among them.

Mr. Renwick: Mr. Chairman, I can well understand why the parliamentary assistant wants to get this one over. It's so eminently reasonable that the fewer words on the Hansard record to disclose the complete fallacy of what the parliamentary assistant is about, the better he will like it.

Mr. Drea: If you want to speak for an hour, be my guest, because I will reply to each and every one of the allegations that you are going to make. So don't say I am trying to muzzle you or throttle you with a short answer. You just go on with all your eloquence, because I'll just come right back at you.

Mr. Renwick: Oh, come on. One thing we know about you from last night is that you are predictable.

Mr. Drea: And consistent.

Mr. Renwick: All I am saying, Mr. Chairman, if I may make this sort of off-the-cuff remark about the problem of parliamentary assistants, is that it makes a mockery of bill debate, because obviously this parliamentary assistant has absolutely no authority at all to alter one jot or tittle of the bill.

We are talking to the public of Ontario because, as the member for Ottawa East simply said, when you add it all up you have taken away, by refusal to accept these amendments, what could have been a very real and valuable bill for consumer protection. The parliamentary assistant has refused to accept even those very reasonable amendments which have the support of all thinking people and of the jurisdictions that have made use of these procedures for the purpose of protecting the consumer.

The division on this bill will obviously be another defeat for the consumer, but so be it; there'll be a new government and these changes will be made.

Mr. Roy: We'll protect the consumer, don't you worry.

Mr. Drea: God help him if you are protecting him.

Mr. Lawlor: They are not getting much from you. You are not doing very well up there.

Mr. Chairman: Order, please.

All those in favour of Mr. Renwick's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Renwick: We'll stack that.

Mr. Chairman: Fine, we will stack the vote and consider it at the end of the committee and report on this. Subsection 7 will carry. Any other comments, criticisms or amendments to any other section of the bill? If so, what?

Mr. Renwick: My friend here.

Mr. Lawlor: Yes, section 8, Mr. Chairman.

On section 8:

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: It has to do with class actions. I am moving that section 8 be amended by adding thereto the following subsection as subsection 6 thereof. It's fairly lengthy. I submit it.

Mr. Singer: Have you got some copies?

Mr. Lawlor: Yes, I have a copy. I am not going to give one to the parliamentary assistant, because he is not going to accept it anyhow. If you happen to be remotely interested in the matter, if it makes any twinge upon you at all, then it is taken directly, verbatim, out of the Alberta statute.

I want to put you to shame. I want to cause you to blush. I mean, this from those benighted beggars out in the middle of the prairie there somewhere, who are known for their conservatism. But you can out-conservatize them. By George, you are a stalwart, true blue part of the machine, aren't you? What do you think you are—a bolt in the axle, something in the rear end of the motor vehicle, so to speak?

Mr. Chairman: Order, please.

Mr. Lawlor: I am not going to waste time now—

Mr. Drea: For a clown who does not even know where Mozambique is, don't put me in your league.

Mr. Lawlor: I am not going to waste time this morning, Mr. Chairman, talking about class actions. This is what it is all about. I think that the hon. member despite the fact that he is not a lawyer—has a fairly good inkling, from what he has picked up in the consumer field over the years, as to what is involved in a class action. Our jurisdiction is probably the most retrograde in North America with respect to the utilization, both within the legal profession itself and then in cahoots or conjunction, or whatever it is, with this government.

In the area of environmental control, we run up against total obtuseness, recalcitrance—in that particular area, I don't think they even understand. At least I will give you the benefit of the doubt here and assume that you do know what this particular grievance and particular plea on class actions is all about.

In Ontario, under a 1910 decision, Martin Co. versus the Knight Steamship Co., a line of reasoning was laid down. It was stated by the court that no representative action could lie where the relief sought was damages, since they would have to be proved separately in the case of each plaintiff. The common interest or common grievance propounded by Lord McNaughton in the Bedford case was thereby limited to those situations where there are identical rights against a common fund or where a class of people has a community of interest in some subject matter.

That's very difficult and very narrow, extremely hard to apply and to bring yourself within the umbrella of, and therefore the class action concept has to apply.. Why shouldn't a number of individuals with a common grievance, being similarly afflicted, pool their resources and hire a single lawyer and not half a dozen or so? Maybe there are as many as 500 people, or 5,000 for that matter, who have been similarly afflicted in the marketplace. They should be able to proceed to take the matter before the court as a conjoint thing that will affect them all.

It's one of the more involved points in jurisprudence. And, of course, the Americans in this area put us to shame. They are considerably ahead of us. They have evolved the law, refined it in this area to a point—we are almost primitive in this regard.

All I am asking is to make a move forward, to bring yourself in line with contemporary thinking in the western world in this regard—and let's have it. Since I despair before I speak, I would have loved to have gone into class action at a very considerable length.

I'm sure the minister, as well as the rest of us, is in possession of a fairly elaborate document called Consumer Class Actions prepared for the Consumers' Association of

Canada, by Prof. Neil Williams of Osgoode Hall, as he then was. Prof. Williams and any number of others have worked on this thing. There are luminous texts now, and this is a new thing in the world in the area of these actions, proving their worth and their efficacy. I want the minister—or the parliamentary assistant, who very well may be the minister some day—to put on his socks—

Mr. Drea: Boy, have you changed your tune since last night.

Mr. Lawlor: —fresh socks, pull up his socks, even if it's the old ones, and move into this area.

Mr. Singer: Mr. Chairman, just one word—I think that the suggestion put forward about class actions has merit and I shall support the amendment. Thank you.

Mr. Drea: Mr. Chairman, I want to—

Mr. Chairman: Order, please.

Mr. Drea: Before the hon. member for Downsview goes, will you just give me a minute for explanation?

Mr. Chairman: Order, please. Before we continue the debate on the amendment, perhaps the Chair should read it into the record for the consideration of the hon. members.

Mr. Lawlor: Yes, I want the minister to understand it.

Mr. Drea: It may not be necessary, Mr. Chairman. I want to raise a certain point that the hon. member for Lakeshore may have overlooked in his research. If that is based upon Bill 78, and I think it is, in the Alberta Legislature, I would like to draw to the attention of the hon. member for Lakeshore that that bill is dead, a new bill is coming in in the Alberta Legislature, and the particular sections that you're referring to and pointing the finger of scorn at me for not accepting western conservatism, aren't going into effect. So, this now becomes your total idea.

Mr. Lawlor: That only proves what I have to say.

Mr. Renwick: That only proves it.

Mr. Chairman: Order, please. The Chair will read the amendment into the record. Order.

Mr. Lawlor: That's right, they are the true-blue blue-eyed Conservatives that I thought they were, and you're right with them.

Mr. Chairman: Order. The Chair will read the amendment into the record.

Mr. Lawlor moves that section 8 be amended by adding thereto the following subsection as subsection 6:

8(1) Where a consumer has suffered damage or loss due to an unfair act or practice, that consumer may, on behalf of himself or on behalf of himself and other consumers who have suffered similar damages or loss due to similar unfair acts or practices, commence and maintain an action in court against any supplier of the goods or services that are the subject of the consumer transaction who engaged in or acquiesced in those unfair acts or practices that caused that damage or loss, for relief from that damage or loss under this section.

8(2) In an action under this section, the court may (a) award damages for damage or loss suffered; (b) award punitive or exemplary damages; (c) make an order for (1) specific performance of the consumer transaction, or (2) restitution of property or funds, or (3) rescission of the consumer transaction; (d) make an order declaring that the act or practice is an unfair act or practice; (e) grant an order in the nature of an injunction restraining the supplier from engaging in the unfair act or practice; and (f) make such directions and grant such other relief as the court considers proper.

(3) The court may award party and party costs and solicitor and client costs or either of them.

(4) When an action is commenced under subsection 1, the plaintiff shall serve the director with a copy of the statement of claim within 15 days after the date on which the statement of claim was served upon the defendant.

(5) Upon being served under subsection 4, the director may, upon notice to all parties to the action, make application to the court to be added as a party, and upon the order being made the director may take any steps he would have taken had he commenced an action under subsection 6.

The hon. member for Ottawa East.

Mr. Roy: Can I just make a comment on that? My colleague, the hon. member for Downsview, has mentioned that we on this side would certainly support the amendment. I would just like to mention to the parliamentary assistant that whether that is part of

the Alberta legislation or not seems to me to be irrelevant.

Again, we're talking about a bill which you say is really going to protect the consumer, and, as I mentioned in my earlier comments, Mr. Chairman, this parliamentary assistant has, on a consistent basis, refused amendments which we feel would give the consumer more clout and certainly more accessibility to the court. For instance, you have taken away the right of the director to take action on behalf of the consumer of substitutive action. You have not accepted the amendment dealing with an appeal from a decision of the director to the tribunal and now you are going to refuse the question of class actions.

My colleague from Riverdale is right when he says that it is difficult sometimes to have an exchange of ideas across the House, because you don't seem to have any flexibility whatsoever in your approach to the bill. In other words, you seem to have come into debate in committee of the whole here with a view in mind that you are not going to change one iota of this particular bill. Really that is what you are doing, and the evidence is there. You can shake your head all you like. The evidence is there that you have not shown any flexibility at all.

Mr. Drea: If you would ever come to committee or if you would ever stay around this House long enough, there are a lot of changes you would know about.

Mr. Roy: You are inconsistent with other legislation that is going to come into this province. I am convinced that when that new legal aid report comes out, one of the major recommendations will be that legal aid be provided to groups to allow individuals to take class actions, because you have situations where a whole group of consumers is affected.

Let me give you some examples. What about all the consumers who are affected, for instance, with motor vehicles such as the Corvair? You will recall just a few years ago the famous motor vehicle that everybody had prob'ems with called the Firenza. A whole ream of people formed an association. Surely it would be helpful to have this type of class action. It would be additionally helpful if the director, as was proposed in this legislation, could come in as a party and maybe take over this action and prosecute it on behalf of the consumers.

I could go on, Mr. Chairman, to mention a number of cases where surely a group or class action will be of relevance. You appear again to be turning it away without giving valid reason. I don't see your reasoning or the merit or the logic of your refusal of this amendment.

Mr. Drea: That is understandable, since I haven't given it yet, but that is nothing new for you.

Mr. Roy: You haven't given the reason I asked this morning.

Mr. Drea: Just cool it. First of all, not being a solicitor—

Mr. Stokes: The parliamentary assistant hasn't the right temperament for this kind of thing.

Mr. Drea: Of course I do. I don't have a red face and high blood pressure. I have a very easy-going temperament.

Mr. Chairman: Order, please. Can we return to the debate on the amendment?

Mr. Drea: Yes, Mr. Chairman. I just want to raise one thing for about 10 seconds. I am not going to say it any more.

Mr. Stokes: You should practise at home before the mirror.

Mr. Chairman: Order. Perhaps the hon. member will continue the debate on the amendment.

Mr. Lawlor: Why don't you stay on the point? Why do you get off on these personal things?

Mr. Drea: Mr. Chairman, I am not prepared to go on until there is some order in the committee.

Mr. Lawlor: Oh, aren't you? Then you will be standing there for a long time.

Mr. Roy: You are overly sensitive.

Mr. Chairman: Will the hon. member continue? In the Chair's opinion, there is good order.

Mr. Drea: Mr. Chairman, in terms of class actions I would like to point out something. There was the document held up by, I think it is Mr. Williams. I have read the document, but I forget the man's name.

Mr. Lawlor: Prof. Neil Williams.

Mr. Drea: It would have been very interesting if the member for Lakeshore would have read into it, because he would have found out that when it comes to class actions the author of that particular document

suggests they do not appear in Acts like this. If class actions are to come in, it would be my position that they should come in across the board and not just be confined to a relatively limited statute administered by one particular ministry of government.

With all due respect to the member for Ottawa East, I don't know what is in the report based upon legal aid.

Mr. Roy: You just won't read it in a couple of weeks.

Mr. Drea: Not being clairvoyant, it is difficult for me to read what hasn't been put out.

Mr. Roy: That has been your problem throughout this debate.

Mr. Drea: If we are going to start on a road into class actions, I would respectfully suggest that it should be across the board. It would be more properly the jurisdiction of the Attorney General (Mr. Clement); it would be more properly placed into every type of litigation in this province, not just consumerism. Therefore, I think that's a very valid reason that at this particular time I'm not prepared to accept the amendment that would put the Ministry of Consumer and Commercial Relations into the class action field in a very limited area of its jurisdiction.

Mr. Roy: Mr. Chairman, may I just mention one thing to the parliamentary assistant? He may well be right that the ideal situation would be to have legislation which would be all-encompassing and apply to all provincial legislation allowing class action. That is a frustration on our part when we are proposing amendments or legislation to you people across there, because the only way you could possibly do that would be to have what is called an Ontario bill of rights with something in it about class action. If you can explain to me how you can pass a piece of legislation in this province which would apply to all legislation, including this Act, which negates the class-action approach, I would be interested to hear it.

I'm saying that what we need is a standard piece of legislation like an Ontario bill of rights. Of course, you've refused to accept that. I've made the suggestion for three years that we should have some sort of legislation permitting the use of that, but this province has rejected that. If you look at your colleagues in Alberta, they have what they call the Alberta Bill of Rights. I don't know how you would do it, frankly. I'm saying that the way you are going about not accepting this amendment at this time is not practical and not possible because in the past you have rejected legislation that would permit it.

Mr. Chairman: All those in favour of Mr. Lawlor's amendment, will please say "aye."

All those opposed please say "nay."

In my opinion, the "nays" have it.

Mr. Chairman: Is it the wish that this be stacked?

Mr. Renwick: Yes, please.

Mr. Chairman: Then we can proceed with section 9 of the bill. Shall section 9 carry?

The hon. member for Riverdale.

Mr. Renwick: I have a very minor thing on section 10.

Mr. Chairman: Shall section 9 carry?

Section 9 agreed to.

On section 10:

Mr. Renwick: On section 10, we had never heard in this party the expression "AVCs" until this bill came through, but I would like the assembly to know that we discovered in the last day of the hearing that AVC means assurance of voluntary compliance. We were a little bashful about asking about it for fear of disclosing our ignorance, but we wish you to know that we did learn something in committee after all.

Mr. Chairman: Shall section 10 carry?

Sections 10 and 11 agreed to.

Mr. Renwick: Mr. Chairman, I have an amendment on section 12.

On section 12:

Mr. Renwick moves that section 12(1) be amended by adding after the word "Act" in the sixth line, the words "or any provision of the Combines Investigation Act or of the Criminal Code of Canada relating to the supplying of goods or services or both."

Mr. Renwick: Mr. Chairman, if I may speak to the matter. Reverting to the point about which the member for Downsview interjected a few moments ago to outline to me this question of the responsibility for the administration of the laws in the Province of Ontario, I repeat, the law enforced in Ontario for which the administration of justice which is required under the constitution by this province includes the federal laws applicable in the province. No administrative practice or convenient bifurcation of jurisdictions with respect to executive action can

override the responsibility of the government to administer the laws of the province.

This particular section of the bill is limited to the power of the director to investigate only alleged contraventions of this Act. It is passing strange that every other Act dealing with this and similar forms of behaviour has an extended clause in the particular Act governing it.

The Securities Act of the Province of Ontario has had it in from time immemorial. My guess is that it was the original clause and I'd like to read from the proposed Bill 75, which repeats what is in the existing statute. And I refer to the proposed Bill 75, which stands on the order paper:

> Where, upon a statement made under oath, it appears probable to the commission that any person or company has,
>
> (a) contravened any of the provisions of this Act or of the regulations;

That's what this present Bill 55 says and that's where it stops. But the Securities Act goes on to say:

> or (b) committed an offence under the Criminal Code of Canada in connection with a trade in securities the commission may by order [do so and so.]

I refer to the bill which was introduced by the parliamentary assistant on behalf of the ministry in this session of the Legislature, and which I believe has already received royal assent, Bill 165, An Act to regulate the Business of selling and dealing in Travel Services. When we come to the correlative pass section in that bill, section 20 in that bill, it says:

> Where, upon a statement made under oath, the director believes on reasonable and probable grounds that any person has,
>
> (a) contravened any of the provisions of this Act or the regulations; or
>
> (b) committed an offence under the Criminal Code of Canada or under the law of any jurisdiction that is relevant to his fitness for registration under this Act . . .

And then goes on to make a statement.

I want to point out that under the Securities Act where you are engaged in protecting the consumer in the securities industry, you do not limit the power of the director. But then again that would be natural for this government because the consumer who has an investment portfolio and who has the funds to invest in the security markets, always has the ear of the government because he belongs to the top level of the people in the province who economically can have that protection.

But oh, when the minister comes to dealing just with the consumer of consumer goods and services, he limits the power of the director. You give him no authority, even though the constitution requires it, to provide that the consumer in Ontario under aegis of this ministry will have a vigilant watchdog to refer, not only to breaches of Bill 55, but who will have the benefit of the references to the Criminal Code when they relate to fraud and other transactions related to the sale of goods for which this ministry should accept responsibility.

The point is so obvious, the point is so clear, that when it comes to the consumer, when it comes to the consumer of goods in the marketplace, this government has no interest except to impose its version of paternal elitism on the province.

The Securities Act deals in securities for certain segments of the consumer public and the director has wide powers. When you are dealing with a consumer in his generic sense, the guy who buys the automobile, the guy who buys any kinds of goods and services, broadloom, any of those areas that are involved in it, no. You insist on the division, the rigid division between federal responsibility and your responsibility.

I referred to it earlier, I say again, and I will continue to say it, that the ministry is gun-shy. They are frightened. They are frightened and they are blind to the need to protect the consumer in the province. The defeat time after time in this assembly of the amendments which we have proposed to this bill add up to an almost total abdication by this ministry of any concern of any significance for the consumer.

Mr. Stokes: Shame. Shame on you.

Mr. Renwick: If you accept this, I'll give you some indication that maybe perhaps you will treat the consuming public with the same deference that you protect your elitist friends who have the portfolios of investments represented by the protections under the securities law.

Mr. Stokes: Well said.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: This, you will be happy to learn, is my last hurrah—the last time I intend to speak, I believe, in this bill.

Mr. Drea: I don't believe it.

Mr. Lawlor: Surely the recommendation made, this amendment, already embodied in other pieces of your legislation, should be palatable and acceptable to you—or does the degree of your recalcitrance reach such limits as even to reject that?

I am delighted with the bill in the way in which your obtuseness has shown itself. It has become absolutely clear, crystalline to anybody who cares to look, precisely where this government, and the minister, stands with respect to consumer matters. It is clear when you get a letter from Mr. Trebilcock and Mrs. Jackson, Jan. 28 of this year, which in the second paragraph thereof says: "Listen, they haven't got a great deal of time and we've got less money. The parts in the new section 5 on real estate have been deleted and we are hard pressed to find any other strengthening changes made in the bill as a result. They are reluctant to come to the conclusion." They may be reluctant, but I hope their reluctance has been overcome. They see what members of the opposition have to forfend against every day of the week, and particularly in the area of consumer legislation. You bang your head against stone walls and the blankness comes down, moles creep underground seeking light; yes. Why don't you come to the surface and take a little rain water?

Mr. Drea: Why don't you get on with it?

Mr. Lawlor: They are reluctant they say "to come to the conclusion"—what nice people. Oh, there is a certain degree of trust in their relationship with the government, one which we have learned somewhat to overcome by bitter experience with it. But I could have told them pretty well what would have happened. I didn't know it would be as crass as this; that you would come down as hard. In fact, I thought you would allow a little elbow room; do a little stick handling. You haven't even got the grace to do that. You say blankly "no." You've cut everything off.

Mr. Drea: That's right.

Mr. Lawlor: Let me start the sentence for the fifth time:

> We are reluctant to come to the conclusion that the hearings were simply an exercise in participatory tokenism, a giant talk-in, designed to give the appearance of flexibility on the part of the government, when in fact its mind was closed to meritorious amendments.

And that sums up this debate. And that's where you are, boyo. That's what it is all about, and I don't think there is any point in saying very much more.

Mr. Chairman: The hon. member for Ottawa East.

Mr. Roy: Mr. Chairman, just on this amendment, from a personal point of view. I have serious reservations about this Act if it was ever challenged—the Act in its present form—on the basis of ultra vires or constitutionality. Just on the basis on which it is drafted now, I have serious doubts whether it would stand up to the scrutiny of the court. The argument by the federal government, that in dealing with punitive legislation in relation to advertising or otherwise, would obviously be that they occupy the field. The facts of this Act that I see as problematic in this type of case would be the points in section 18 where you deal with penalties. It may well be that the province could argue that it is dealing with the civil aspect of the remedy and the federal government is dealing with the criminal aspect of it. But one thing I would be concerned about if the amendment was, in fact, accepted is that it would be clear, in my opinion, that the provincial government is clearly embarking on a field which is occupied by the federal government.

Mr. Renwick: That is the most utter nonsense.

Mr. Drea: You see what you are up against?

Mr. Renwick: Absolute nonsense.

Mr. Roy: I notice when my friend from Riverdale was talking about other legislation, the Securities Act, in which the director had flexibility, let's say, he said that all of this legislation that was being mentioned was in fact in the Criminal Code. And of course the province has jurisdiction for the enforcement of the Criminal Code. But it doesn't—

Mr. Renwick: All right, accept my amendment with respect to the Criminal Code then.

Mr. Drea: He never accepts reality.

Mr. Renwick: Of course not.

Mr. Chairman: Order. The member for Ottawa East has the floor.

Mr. Roy: Mr. Chairman, if it said here that the director had flexibility to look at a breach of the Criminal Code, obviously I would support it; he would have that juris-

diction because he does have jurisdiction to go into breaches of the Criminal Code and that's guaranteed by the BNA Act. But when it comes to the question of the Combines Investigation Act—

Mr. Renwick: The Combines Investigation Act is criminal law and always has been so.

Mr. Roy: That is your opinion, but I am suggesting to you—

Mr. Renwick: It is the opinion of the courts of the land.

Mr. Roy: It is not the opinion of the courts of the land.

Mr. Drea: Let's get out of law school and back to the bill.

Mr. Roy: I have yet to see any prosecutions by any provincial governments or provincial Attorneys General, let's say for the Income Tax Act. Are you saying again that that's a criminal prosecution? I haven't seen any of this. It's just like the Combines Investigation Act. In light of the fact that we are operating in various levels of jurisdiction —we are talking about federal and provincial or otherwise—I say very sincerely to my friend that I feel if that was inserted in the bill, clearly someone would argue that it was ultra vires and that the province was trying to get an encroachment of federal jurisdiction.

Mr. Renwick: Mr. Chairman, you know, sincerity is no substitute for knowledge.

Mr. G. Nixon (Dovercourt): You are right on.

Interjections by hon. members.

Mr. Renwick: Let me give the member for Ottawa East a minor lesson in constitutional law.

Mr. Roy: Oh, don't give me any lessons.

Mr. Drea: Don't give lessons; get back to the bill.

Mr. Renwick: So far as the Income Tax Act reference, which is totally irrelevant, is concerned, one jurisdiction will not enforce the revenue laws of another jurisdiction. That's trite law; very simple. Okay, that's that.

Mr. Roy: You should sit on the Supreme Court of Canada.

Mr. Renwick: Secondly, the Combines Investigation Act, when it was first introduced into the Parliament of Canada, was by reference held to be an exercise of the criminal law power.

Mr. Roy: Quasi-criminal.

Mr. Renwick: Not quasi-criminal; criminal law power.

Mr. Lawlor: That's right.

Mr. Renwick: A substantial number of the provisions of the Combines Investigation Act were transferred out of the Criminal Code for administrative purposes only. It's not quasi. That's typical lawyer's jargon. Nobody knows what the word "quasi" means, you know. It's not English. Do you understand that? It's criminal law and it's criminal jurisdiction—

Mr. Roy: You should sit on the Supreme Court of Canada.

Mr. Renwick: —and the responsibility of this government is to enforce the criminal law in the Province of Ontario. I am asking this ministry to enforce the criminal law. The criminal law is contained in the Criminal Code and in the Combines Investigation Act. What the government is doing—and we are allowing it to happen; we raised it before the Provincial Secretary of Justice—this government, in the field of consumerism, has made a minor representation about the intrusion into the civil law field of the federal court apparatus to permit an extension of the Combines Investigation Act from its criminal aspect into its administrative and into its civil aspects. That, in my judgement, is wrong.

This government has permitted a new level of courts to be introduced into Canada—the federal court system, expanded and enlarged —so that this government will be able to continuously say: "Oh, in our little watertight compartment, we protect the consumer through our paternal elitism, and anything else we will leave to the federal government and to the federal court." That's what they are doing. It is an abdication of responsibility. It's clear—it's clear in the estimates of the Ministry of Consumer and Commercial Relations. In the estimates you can't even find the word "consumer."

In this bill there are so many failures that this can't even be dignified as the kind of bill which generally the Liberal Party supports—that a little bit is better than nothing. This bill is hardly even that. What you have done is to preserve for the arcane world of the lawyer, the protection of the consumer. And that has failed down the years and will continue to fail because of the ineptness, rigidity, closed-mindedness of the ministry.

In a charitable moment, I say that had the former minister still been the minister, and had he not taken ill during the course of those proceedings, we might possibly have got two or three of the reasonable propositions which were put before the committee by the Consumers' Association.

I know he is upset, I can tell. When his right flapper flaps, I know he is really upset.

Mr. Chairman: Would the member for Riverdale—

Mr. Drea: Are you all there?

Mr. Chairman: You're speaking to the principle of the bill instead of your amendment.

Mr. Renwick: It is very interesting that the new minister apparently treats this bill as old business which didn't really exist for him in his administration of this ministry, because I haven't seen him or heard of him during the course of this debate. But the intransigent parliamentary assistant, the vocal parliamentary assistant for consumer rights—

Mr. Chairman: Order, order. The member for Riverdale—

Mr. Renwick: —has become a lawyer, a pseudo lawyer.

Mr. Chairman: Order, order. Will the member for Riverdale please come to order and speak to the amendment.

Mr. Drea: Wait just a minute. Mr. Chairman, I would like first to comment upon the remarks of the member for Ottawa East. You stole a little bit of my lines—that is a concern. Secondly, I would point out to you—

Mr. Renwick: It's wrong; it is total error.

Mr. Drea: Secondly, I would point out to you that in the two Acts that were mentioned—the Securities Act, and we have a reference to Bill 75; there was also a particular reference to the travel industry Act, Bill 165—now the reason that the extension was put on in both of those is that particular section with the registrar or the competent authorities—

Mr. Renwick: Those are only—

Mr. Drea: —has to deal with the revocation of the registration.

Mr. Renwick: That is not correct.

Mr. Drea: Now, I would point out to you in Bill 55—

Mr. Renwick: That is a deliberate falsehood.

Mr. Chairman: Order.

Mr. Renwick: That is a deliberate falsehood. The Securities Act deals with the Criminal Code and has nothing to do with registration of any kind.

Mr. Chairman: Order. Would the member for Riverdale take his seat while the parliamentary assistant speaks to the amendment?

Mr. Lawlor: How can he do that when he is misleading the House? It is a dreadful thing. How do you answer my colleague?

Mr. Drea: With contempt.

Mr. Lawlor: You are a real atavistic amoeba if ever there was one.

Mr. Chairman: Order, please. Order, order. The member for Lakeshore—

Mr. Lawlor: It's absolutely unbelievable. All right, we can give as good as we get, you know—and probably better.

Mr. Chairman: Order, order. To the member for Lakeshore, he has already spoken to the amendment. Now give the parliamentary assistant—

Mr. Stokes: Tell him to make sense then.

Mr. Lawlor: Let him make a fool of himself.

Mr. Chairman: If I were a referee, a judge of both sides, I would say there has been very little sense made in the past 15 minutes.

Mr. Roy: I thought I had a very reasonable comment.

Mr. Drea: I think I have replied to the member for Ottawa East. I am not prepared to accept this amendment.

First of all, if the director feels that the particular matter should be more properly handled under the Combines Investigation Act or the Criminal Code, there are investigatory agencies dealing with both of those pieces of legislation. This would merely be a duplication if the director became a policeman for purposes of the—

Mr. Renwick: Absolute nonsense. Absolute nonsense.

Mr. Drea: —Criminal Code or became an investigator under the Combines Investigation Act. They have their own staffs. They do very well. They have built up an enviable reputation.

Mr. Renwick: Very few convictions.

Mr. Drea: Once again, it's just another attempt to duplicate. I agree with most of the comments made by the hon. member for Ottawa East that this indeed would be an intrusion upon a very well defined and clearly laid out federal area.

Mr. Renwick: Oh, don't talk nonsense.

Mr. Drea: I never talk nonsense. Despite the names that have been coming at me, I've remained remarkably calm. But I will tell you that it's not when my right hand begins to flap that I am starting to go. You are rapidly pushing me so that we are going to have quite a little bit of fun in the 44 minutes that are left.

Mr. Stokes: Is that a threat or a promise?

Mr. Renwick: I hope you enjoy it because I have spent all the time here I want to today.

Mr. Drea: Let's just see if you can get five of you to divide on this, because you haven't even got five in your own party here.

Mr. Lawlor: The government has handled the rules of this House so badly that everybody dispersed to the four winds.

Mr. F. A. Burr (Sandwich-Riverside): You have only five counting yourself.

Mr. Stokes: There are only five Tories in the House.

Mr. Drea: That's better than five of the left wing.

Mr. Chairman: Shall section 12, subsection 1 carry?

Mr. Renwick: I think we should call a quorum vote. What about a quorum?

Mr. Chairman: All those in favour please say "aye."

All those opposed please say "nay."

In my opinion, the "nays" have it. I declare the amendment lost.

Sections 12 to 16, inclusive, agreed to.

Mr. Chairman: Is there any other section of the bill before section 20?

On section 17:

Mr. Renwick: Yes, section 17 deserves one comment. Section 17, subsection d, provides for regulations "exempting any class of person or type of consumer from this Act or the regulations of any provision thereof." That again is the provision by which the vested interests in the province will be able to do behind the closed doors of the ministry what they failed to do in the public committee hearings on this bill. They'll get exemption after exemption after exemption, because they'll be able to say, "It's a very good bill in principle just so long as it doesn't apply to us."

The same argument that was so effective in excluding the professions from the application of this bill is going to be used by the ministry to exempt the life insurance industry and various other groups who very vocally put their case. The committee knocked them down. But once they get behind the closed doors of the ministry, the vested interests always win. And they'll win again, you mark my words.

Mr. Drea: I would just like to point out to the hon. member for Riverdale, as I said last night, though he may not remember from last night—

Mr. Renwick: I remember last night very well.

Mr. Drea: —there would be no exemptions and no exclusions under the regulatory section. That's a matter of record; that's a commitment that's there.

Mr. Renwick: Well, delete it. I will move the deletion of that section.

Mr. Drea: That's a facetious amendment.

Mr. Renwick moves the deletion of item 'd' of subsection 1 of section 17 of the bill.

Mr. Renwick: The minister said it's not going to be used, and I'm a great one for not making the statutes any longer than they need to be.

Mr. Chairman: Shall section 17 stand as part of the bill?

All those in favour of section 17 standing as part of the bill will please say "aye."

Mr. Drea: Aye.

Mr. Lawlor: There is only one person over there.

Mr. Stokes: Just one person. Now put the other one.

Mr. Drea: Oh, there's more than that.

Mr. Stokes: Oh, no. It has been put and one person responded. Ask for the "nays."

Mr. R. D. Kennedy (Peel South): There are more ways to respond than talking.

Mr. Stokes: You didn't even grunt.

Mr. Chairman: All those opposed to section 17 forming part of the bill please say "nay."

In my opinion, the "ayes" have it. I declare the amendment lost.

Mr. Drea: We can't even get a division yet. They haven't got a party over there.

Mr. Stokes: We got one "aye" and not even a grunt.

Section 17 agreed to.

Mr. Stokes: This place becomes more irrelevant by the hour.

Mr. Chairman: Section 18?

On section 18:

Mr. Drea: Yes, I want to do something on section 18, Mr. Chairman. Since I have been accused quite directly of being intransigent, arrogant, defiant, obtuse and probably about 15 other adjectives, where there is some stimulation involved as to the creation of them, I would like to point out that I am not totally opposed to any amendment. In view of the fact that they spent, quite frankly, all of the time in committee, and while we didn't agree, either the member for Lakeshore or the member for Riverdale might like to propose an amendment—I could to it, Mr. Chairman, but I am being very charitable—they might like to propose an amendment, because there is a typographical error in this section, that I am sure they have noticed. It is in subsection 2 where it says:

> Every person who engages in an unfair practice other than an unfair practice prescribed by regulation made under subsection 1 of section 16 . . .

That really should be section 17, not 16. Now if someone would like to propose the amendment—either one of you—I would be glad to accept it. If you don't propose it I will move it myself.

Mr. Lawlor: You move your own silly amendment.

Mr. Drea: All right, Mr. Chairman, I move the correction of that section.

Mr. Lawlor: We offered you all kinds of opportunity, and now you want a typographical error changed.

Mr. Roy: Mr. Chairman, I would like to discuss a prior subsection in section 18 with the parliamentary assistant, if we are going to proceed with this in order.

I would like — and depending on your answer I may well move-

Mr. Chairman: Maybe we should dispose of this and we will let you get back to it.

Mr. Roy: Okay, I didn't want to be precluded from talking about section 18(1).

Mr. Drea: Oh no, it is a typographical error.

Mr. Roy: Okay, that's your amendment then.

Mr. Drea moves that in subsection 2 of section 18, line 3, the figure 16 after the word "section" be changed to 17.

Mr. Chairman: You have all heard the amendment. All in favour of the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Mr. Chairman: The hon. member for Ottawa East.

Mr. Roy: Mr. Chairman, I would like to speak to section 18 (1)(c). I am somewhat concerned about the wording of that section. It states here one is guilty of an offence on summary conviction if he does the following things under a, b and c, and c is: ". . . fails to comply with any order or assurance of voluntary compliance made or entered into under this Act."

The problem I would like to discuss with the parliamentary assistant is this: When you talk about any order under this Act, are you talking about an order of the director or an order of the tribunal, or what is it? Are you talking about both of these orders? I am just wondering whether you should have in front of the word "order" the words "lawful order."

I am concerned that one may well consider that the order made by the director is not a reasonable order and want to challenge that order. If, under subsection c, he fails to comply with it, is there any way for him to challenge the order made by the director?

Again, I am all for the protection of the consumer; but on the other hand I do not want to see a sort of double whammy put on the individual who infringes this Act, and put on in such a way that he has no way of challenging the order without being in breach of section 18(1)(c).

Mr. Drea: In reply to the member for Ottawa East, I am assured by the legislative

counsel that "order" per se means lawful order; the word "order" in the Act does not become an order until the person who it applies against has exhausted his appeal through the Commercial Relations appeals tribunal.

So, I think that answers your concerns that this is not just—I am going to use the word "directive" rather than "order" to avoid confusion—this isn't just an arbitrary directive of the director, and that that would bring the particular person under the ambit of subsection c before he has a chance to appeal it. The thrust of subsection c as it stands now is after all of the appeals, if there are appeals, have been exhausted. So it is a final order that has been confirmed where the person has had the right to appeal.

Mr. Roy: My concern, of course, is that the parliamentary assistant's whole bill interchanges the word "order," whether it's emanating from the director or from the tribunal. My concern is that once the word starts being used interchangeably in the bill, and the court is in a position to start interpreting the word "order" in section 18(1)(c), it's going to look at the bill to see how the word "order" is used in the bill itself.

I'm not sure that entering the word "lawful" in front of the word "order" is going to make it any more lawful but I just want to express the concern that I wouldn't want to see a situation where an individual would be in breach of section 18(1)(c) when he was in the process of challenging some order or directive of the director.

Mr. Chairman: Are there any other comments? Shall section 18 carry?

Mr. Roy: I would like to put one other question to the parliamentary assistant. In talking about a corporation that has been convicted of an offence under subsections 1 or 2, section 18(4) says:

> The director . . . and each officer, servant or agent of the corporation who was in whole or in part responsible for the conduct of that part of the business of the corporation . . . is a party to the offence unless he satisfies the court that he did not authorize, permit or acquiesce in the offence.

First of all, what you are doing is reversing the general onus on the Crown in all criminal or quasi-criminal prosecutions to prove a case against an individual. That is one of the basic rules of our criminal law. What you are doing here, in fact, is switching that around.

It's an extremely wide section. In the case of a company like Imperial Oil, it may well be that once a decision is made for advertising in relation to one particular product, let's say, you may well involve hundreds or thousands of officers or servants who might be faced with having to satisfy that onus.

Mr. Drea: Perhaps I could ease your concern if I explained how that particular subsection came into being.

There was considerable concern expressed to the committee by people, particularly the directors, who represented the very type of corporation you are talking about. The concern that was expressed, and it's reflected in this definition, is that directors might well be unaware because of the complexity of the enterprise and so on; indeed, it would be Draconian unless we got into a limitation of their responsibility which is what we have arrived at here. This was suggested by representatives and directors of corporations, both large and small. This was also suggested and complied with in an element of fairness by members of the committee who have had some experience.

Therefore, I think that some of the concerns you were expressing may not be as substantial, or the thrust of that subsection may not seem as significant, now that you understand the basis on which it was arrived at.

Mr. Roy: If I might, I would like to make this comment, Mr. Chairman. I'm not overly concerned that one of the basic principles of the Bill of Rights or our criminal law is for the first time being chipped away or reversed, because in other legislation at the federal level the onus has been changed when it was necessary.

I think that when you're dealing with corporations, you sometime have to switch the onus because there is just no way that the Crown or the prosecuting authorities could prove the active participation of individuals when you are dealing with large corporations.

But I do want to express concern and have this concern put on the record, Mr. Chairman. You see, this works well in normal, sort of ordinary cases, but I can see situations where that section, involving a particular type of transaction, could be abused. And of course when that springs to mind, I think it's normal that one would express some concern about the wide powers and the onus

put on individuals under that particular section.

Sections 18 to 20, inclusive, as amended, agreed to.

Mr. Chairman: Order, please. Mr. Renwick has moved an amendment to section 7 of the bill. Is it the wish of the House that the Chair re-read the amendment or shall we take it as previously read?

The committee divided on Mr. Renwick's amendment, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 14, the "nays" 43.

Mr. Chairman: I declare the amendment defeated.

Mr. Lawlor has moved an amendment to section 8. Is it the desire of the House we take the same vote, the same count?

The committee divided on Mr. Lawlor's amendment, which was negatived on the same vote.

Mr. Chairman: I declare the amendment lost. Shall the bill be reported?

Bill 55, as amended, reported.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

UNFAIR BUSINESS PRACTICES ACT

Mr. Drea, on behalf of Hon. Mr. Handleman, moves third reading of Bill 55, An Act to Prohibit Unfair Practices in Sales to Consumers.

Mr. Speaker: Shall the motion carry?

Mr. J. A. Renwick (Riverdale): Mr. Speaker, before third reading I would simply like to put the position of our party about the defects in this particular legislation.

It is defective in that it doesn't provide for substitutive actions. It is defective in that it doesn't provide for class actions. It is defective in that it doesn't provide for access by the consumer to the tribunal where the registrar refuses to act. It is defective in that there is no provision for corrective advertising orders. It is defective in that there are no provisions for ad substantiation orders.

It is defective in that it does not apply to all services, but excludes, particularly, professional services from its ambit. It is defective because the government persists in dividing the field between itself, and the federal government instead of accepting the responsibility to administer all laws in favour of consumer protection. Therefore, for that reason we in this party are opposed to the third reading of the bill and will divide on the matter.

Mr. A. J. Roy (Ottawa East): Mr. Speaker, may I make a quick comment on the bill on third reading? We feel that the bill could have been considerably stronger had the amendments been accepted by the parliamentary assistant. We are extremely concerned about them. These matters were mentioned by my colleague from Riverdale; the substitutive action, the class action and the right of the consumer to appeal the decision of the director. We feel, Mr. Speaker, that when the parliamentary assistant states that this is a bill that is going to be strongly in favour of the consumer, unfortunately, the evidence does not bear him out. He has left a gap in what we consider to be very important areas of the bill.

In spite of the fact that we are in favour of this type of legislation, we are very displeased indeed by the intransigent attitude of the parliamentary assistant in not accepting what we had considered to be important and very reasonable amendments. When the consumers of this province complain in the future about the lack of action in certain areas—

Mr. F. Drea (Scarborough Centre): They won't go to the member.

Mr. Roy: —we will direct them to read the debates that have taken place here over the last two days.

Mr. Drea: Mr. Speaker, I realize there is going to be a division. I am going to talk for about 20 seconds. First of all, this is the finest piece of consumer legislation ever introduced in this province and indeed in the whole country. I don't say that because I had anything to do with it. I think it is a monument to the minister of that day, who is now the Attorney General (Mr. Clement).

Secondly, Mr. Speaker, I would like to end on a concordant note.

Mr. P. D. Lawlor (Lakeshore): It is really remarkable what a little power will do, a little brief authority. It is just incredible.

Mr. Speaker: Order, please. Will the member continue his remarks?

Mr. Drea: The member came close last night. Just keep pushing it, mister.

Mr. Speaker: Order, please.

Mr. Drea: Mr. Speaker, I would like to end on a concordant note. I would like to thank the members of the standing committee on justice from all parties who, despite the fact that it was late in December, that there were many hours of sessions and that there were a great deal of very, very technical arguments, nonetheless stayed, were present and made an important contribution to this bill.

I say that, Mr. Speaker, because there was some publicity about certain activities in this House on a certain evening. I think the record should show that there were nine members of the committee who were not in this chamber on that particular evening. In fact, two of them gave up part of their dinner hour to make sure this bill would be studied.

Mr. Speaker: Order, please. We're discussing third reading of the bill.

The House divided on the motion for third reading of Bill 55, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Auld	Breithaupt
Belanger	Burr
Bennett	Deans
Birch	Dukszta
Carruthers	Foulds
Downer	Germa
Drea	Lawlor
Eaton	MacDonald
Evans	Martel
Ewen	Renwick
Gilbertson	Roy
Grossman	Smith (Nipissing)
Hamilton	Stokes
Handleman	Worton—15.
Havrot	
Henderson	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Kennedy	
Leluk	
MacBeth	
McIlveen	
McNeil	
McNie	
Meen	
Morningstar	
Newman (Ontario South)	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Rhodes	
Scrivener	
Smith (Simcoe East)	
Snow	
Stewart	
Taylor (Prince Edward-Lennox)	
Villeneuve	
Wardle	
White	
Winkler—41.	

Clerk of the House: Mr. Speaker, the "ayes" are 41, the "nays" 15.

Mr. Speaker: I declare the motion carried.

Motion agreed to; third reading of the bill.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, I'd like to say that on Monday we'll proceed with Bill 111 and then we'll resume item No. 2 on the order paper.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:10 o'clock, p.m.

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Legislature of Ontario Debates

No. 177



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, February 10, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, FEBRUARY 10, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I would like to introduce 60 grade 10 students from West Toronto Secondary School with their two teachers, Mr. Jarman and Mr. Ketcheson, who are sitting in the east gallery.

Mr. Speaker: Statements by the ministry.

ONTARIO SUMMER GAMES

Hon. R. Welch (Minister of Culture and Recreation): Mr. Speaker, I'm very pleased to advise the House this afternoon that the 1975 Ontario Summer Games will be held over the Labour Day weekend in London.

Mr. I. Deans (Wentworth): What's wrong with Hamilton?

Hon. Mr. Welch: We expect more than 1,800 athletes from all parts of Ontario will enter the various competitions, including swimming, diving, lawn bowling, cricket, rugby, soccer, track and field, water skiing, canoeing, lacrosse, shooting, field hockey, golf, rowing and netball.

In addition to these sports events, my ministry will co-ordinate a programme of cultural activities similar to those which contributed so much to community participation and the success of the winter games in Thunder Bay in December.

We looked at facilities in a number of Ontario communities which offered to hold the summer games, and the interest of these municipalities and their local organizations is, of course, evidence of the widespread interest and support for these games in the province.

Mr. Speaker, we will be using facilities of the parks and recreation branch of London, the University of Western Ontario and the London Board of Education for competition sites, athletes' accommodation and administrative support services; I would like to commend all of these agencies for the excellent co-operation we have received from them so far.

An hon. member: Why wasn't it in Brampton?

GLAUCOMA SCREENING CLINIC

Hon. F. S. Miller (Minister of Health): Mr. Speaker, to promote public awareness a free glaucoma screening clinic using non-contact air puff tonometry is being made available to all members of the Legislature and the press gallery on Thursday and Friday, Feb. 13 and 14, from 10:30 a.m. to 4 p.m.

Mr. R. F. Nixon (Leader of the Opposition): The government is myopic, not glaucomic.

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Members opposite have hardening of the arteries, not the eyeballs.

Hon. Mr. Miller: The clinic, under the auspices of York-Finch Hospital, will be located in the library off the west lobby. The new puff tonometry method was developed by Dr. Melvin Cooper of York-Finch Hospital and has been hailed as a breakthrough in detecting elevated eye pressure, which if undetected and untreated can lead to blindness. The test takes about five minutes and does not involve the use of drops or direct eye contact. I hope all hon. members and all members of the press gallery will allow themselves to be tested.

Mr. M. Cassidy (Ottawa Centre): We have always said the government was lacking in vision.

Mr. S. Lewis (Scarborough West): It is not the eyes that need testing around here.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

ENVIRONMENTAL ASSESSMENT

Mr. R. F. Nixon: I'd like to ask the Premier if the commitment made in the Speech from the Throne at the beginning of this session is going to be fulfilled, in which Her Honour said to us: "You will be asked to approve legislation which will require an environmental assessment of major new development projects." Does the Premier recall making or having the Lieutenant Governor make the same commitment of government policy in 1973 as well as 1974?

Hon. W. G. Davis (Premier): Mr. Speaker, I don't recall having made Her Honour the Lieutenant Governor do anything. I think there was some reference to it in the Throne Speech, yes.

Mr. R. F. Nixon: Supplementary: Perhaps in order to answer the question, will the Premier tell us whether we are going to have legislation as promised, or is it, like the seatbelt stuff, going to be handled by public relations?

Hon. Mr. Davis: Mr. Speaker, I recall the suggestion in the Throne Speech about seatbelt legislation.

Mr. R. F. Nixon: It was very clear; it wasn't suggested.

Hon. Mr. Davis: I've read it myself.

Mr. Cassidy: I thought it was a commitment.

Hon. Mr. Davis: I can only sense that the Liberal Party is officially on the record as opposing legislation on seatbelts, although I haven't read anything about it yet.

Mr. R. F. Nixon: What about environmental assessment?

Hon. Mr. Davis: All I read is that the Liberal Party raises it as an issue and hasn't decided yet whether it is for it or against it, like everything else.

Mr. R. F. Nixon: Is it true that the government has to change its mind?

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Davis: Mr. Speaker, I don't expect it will be in the Throne Speech again.

Interjections by hon. members.

Mr. R. F. Nixon: Supplementary, Mr. Speaker: With your help, Mr. Speaker, I would like the Premier to indicate whether this legislation, which is clearly promised, is going to be introduced before the end of the session; and if not perhaps there is some reason why not.

Hon. Mr. Davis: Mr. Speaker, I hope the end of the session will come this week.

Mr. Deans: I doubt it.

Hon. Mr. Davis: The proposed legislation is very complex in nature. I anticipate we will have that legislation prior to any question of elections.

However, I have discovered that the Liberals are in favour of something. Somebody just sent me a button which says on it: "Kiss me, I'm a Liberal." It's the first positive thing I've seen from that party.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): Is that the Liberal policy?

Mr. Lewis: Let the Premier be careful where he puts the button.

Interjections by hon. members.

ENVIRONMENTAL ASSESSMENT

Mr. R. F. Nixon: I'd like to put a question to the Minister of the Environment. Is it his impression that it was because of his relatively junior position in the cabinet that the influence of the Minister of Transportation and Communications (Mr. Rhodes), the former Minister of Energy (Mr. McKeough) particularly, and the Minister of Industry and Tourism (Mr. Bennett), did not permit him to introduce the legislation establishing a proper environmental hearing procedure?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, as for the influence of anyone, I don't know what the Leader of the Opposition is talking about. He talked about a proper environmental hearing procedures and he talked about environmental assessment.

Mr. R. F. Nixon: A point of order, with your permission, Mr. Speaker.

Mr. Speaker: A point of order.

Mr. R. F. Nixon: With reference to the minister's statement, I'm talking about the clear statement by Her Honour, on page 5 of Hansard, which says as follows: "You will be asked to approve legislation which will require an environmental assessment of major new development projects." Now where is the legislation and why doesn't the minister introduce it?

Hon. W. Newman: Mr. Speaker, I think if the Leader of the Opposition had been here, I believe when we first went back into session, I explained that it would—

Mr. R. F. Nixon: It was a personal commitment.

Hon. W. Newman: Just don't get all excited; just calm down.

Mr. Speaker: Order please. The hon. minister has an opportunity to answer.

Hon. W. Newman: Maybe we should do one on the member.

Mr. Lewis: It was a personal commitment this time, it was not government policy.

Interjection by an hon. member.

Hon. W. Newman: In answer to that question, I said it would be coming in the next session of the Legislature.

Mr. R. F. Nixon: Well, we'll see what we get on that.

APPEAL ON OHIP PAYMENT

Mr. R. F. Nixon: I'd like to ask the Minister of Health why he is continuing to harass my constituent, Arthur Taylor, an elderly gentleman who appealed the nonpayment from OHIP of his medical expenses to the OHIP appeal board? He won the appeal. The minister appealed it further to the divisional court, where my constituent won his appeal again, with costs. Why is the minister now directing his legal officials to appeal it further, when my elderly constituent has gone now more than two years without adequate payment from the ministry?

Hon. Mr. Miller: Mr. Speaker, the hon. Leader of the Opposition and I have discussed this issue privately. He knows that this latest step just came within the last week.

Mr. E. M. Havrot (Timiskaming): Yes, but the public doesn't know it.

Mr. R. F. Nixon: That's right.

Hon. Mr. Miller: I, in turn, am looking at the request from my ministry staff to proceed with this appeal. I am going to make a decision on it within the next 24 hours, I would think.

But the issue isn't quite as simple as it might seem. The law states that persons receiving treatment outside of Canada may not be paid more than the amount a physician in Ontario would have been paid. A discretionary decision was made by the appeal body in that case, allowing extra costs for Mr. Taylor. We appealed it on the basis of a point of law, not on the basis of the justice or injustice of the particular case. It was on that basis that the appeal went forward.

Now, I do intend—and I have put a request in to discuss this with staff—to see whether the law needs to be changed, or whether the appeal needs to be proceeded with to determine the validity of the current law.

Mr. R. F. Nixon: Supplementary: Since the ruling of the review board established under legislation a year ago and staffed by people appointed by order in council, approved the payment; and that was appealed to the divisional court which surely knows something about the law and which permitted the payment; why isn't the money sent out to my constituent?

Mr. Lewis: Why not send out the money and pursue the point of law?

Hon. Mr. Miller: Mr. Speaker, I'm not a lawyer, nor is the Leader of the Opposition, but I assume one of the reasons for the numbers of appeals that are allowed in British law is because the law itself is not always easy to interpret, and therefore requires review by different courts.

Now we have a test case—I'm sure you know that whenever we put a statute in the books one of the important things is to see that it stands the test of court cases—and this, sadly enough, happens to affect a rather elderly gentleman. But the fact remains, this law, in our staff's opinion, should be upheld. The principle was very important to them. There are millions of dollars at stake in this kind of thing, with people who go into a Florida hospital, or see a Florida doctor or a California doctor, and pay five, six, seven times the rates in Ontario. If this was allowed to go unchecked there could be almost unlimited drain upon the Treasury of Ontario.

Mr. R. F. Nixon: That's the thing that is strange.

FIRE PROTECTION COSTS COVERAGE

Mr. R. F. Nixon: I'd like to ask a question of the Solicitor General. Is he going to respond affirmatively to the many requests from municipal officials for a thorough review of the efficiency and the cost of providing fire protection across the province?

Hon. G. A. Kerr (Solicitor General): Well Mr. Speaker, that was a very general request from the municipal group. I'm not sure whether or not they require permanent fire brigades in every part of the province. Hopefully we are intending to provide fire protection in unorganized territories in the north where they have no protection whatsoever now.

There is the question of volunteer fire fighting. Many of the forces want to continue that programme, where a small part of their

force is permanent and they supplement that force with volunteer help.

I had asked people in my ministry to look into this. It would not necessarily be on any type of shared-cost basis. Most fire protection, including equipment, for example, is paid for locally. I am not aware of any substantial grants from this government to help municipalities, in say the southern part of the province, with fire protection.

We have our inspection facilities, of course. We hope to take over many of the functions that are now being performed by the Liquor Control Board and by the Ministry of Industry and Tourism, but this is a very general request and I am sure it will result in a number of conferences between those within the firefighting community and the government.

Mr. E. R. Good (Waterloo North): Supplementary, Mr. Speaker.

Mr. Speaker: Supplementary.

Mr. Good: Is the minister not concerned about the statement last year of his retiring fire marshal, Mr. Hurst, who said that the province is wasting money on fire protection; that they are using methods that haven't changed since the inception of fire protection in the province; and that of the billion dollars being spent he feels a lot is being wasted because of a lack of review of procedures? Why does the minister resist having a task force look into the economics of it, the same as he had one look into the police a year ago?

Hon. Mr. Kerr: Mr. Speaker, the retiring fire marshal was talking mainly about large metropolitan areas, such as Toronto and Ottawa—

Mr. Good: They spend money too.

Hon. Mr. Kerr: —where there are a number of fire departments, for example, within the various boroughs. At the present time, as the hon. member knows, there are commissions under way in both Ottawa and Toronto to study the municipal structure of those areas in particular, and included in the terms of reference of both the Mayo commission and the Robarts commission is the question of firefighting.

Mr. Speaker: Any further questions? A supplementary?

Mr. F. Laughren (Nickel Belt): Yes. When is the minister going to do what he promised during his estimates and devise a scheme whereby the unorganized communities in the province could have some financial assistance to provide fire protection for their residents?

Hon. Mr. Kerr: Mr. Speaker, I just alluded to that in my answer to the question of the hon. Leader of the Opposition. We have funds in our next year's budget to provide firefighting equipment to small communities in unorganized territories.

Mr. Speaker: Any further questions? The Leader of the Opposition?

Mr. Good: Supplementary.

Mr. Speaker: This will be the final supplementary.

Mr. Good: In view of the fact that in some lower-tier municipalities of regional governments firefighting is now taking up one third of their budget, would the minister see that this matter could be discussed at the PMLC meeting, which up to now has resisted even putting it on their agenda?

Would he answer verbally so that it can be recorded in Hansard, please?

Hon. Mr. Kerr: Yes, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough West.

ELECTION EXPENSES; REDISTRIBUTION OF ELECTORAL DISTRICTS

Mr. Lewis: A question of the Premier, if I may. Do I take it from his response about wishing to adjourn this week that the Camp commission recommendations on the reform of election financing—and indeed the redistribution bill—that neither of them are likely to be passed before we reconvene with the Throne Speech?

Hon. Mr. Davis: Mr. Speaker, I can't prejudge the work of the distribution commission as far as time is concerned. It would be my thought—in fact, commitment—that we will have redistribution. I am not sure that it will be here in time for us to consider, as we should consider it, carefully, before the balance of the programme we have is completed this week.

As it relates to the election finance reform, I hope that we will have it at least for introduction before we adjourn.

Mr. Lewis: So that, by way of supplementary, barring unforeseen events I suppose is the way the Premier would say it, his commitment that we will have the legislation on election financing passed before an election, still stands. It is not like his commitments in Throne speeches.

Hon. Mr. Davis: Mr. Speaker, I think we match 90 per cent of our proposals that are enunciated here by Her Honour.

Mr. Lewis: With indecision and vacillation.

Hon. Mr. Davis: We do accommodate the vast majority of them. As it relates to the commitment on election finance the answer to that is, unquestionably, yes.

Mr. V. M. Singer (Downsview): Mr. Speaker, by way of supplementary: Is it the Premier's intention to prorogue the fourth session at the end of this week or merely adjourn it, perhaps to have it—

Hon. Mr. Davis: Mr. Speaker, I am sorry. I expect we will prorogue, but I should alert members that the business of this province is really quite time-consuming, and while there might be a short interval between prorogation and the next session, if I were the member for Downsview I wouldn't plan a six- or seven-week period canvassing the riding or on holidays.

Mr. R. F. Nixon: Maybe the Premier could indicate when he expects the new session would begin.

Hon. Mr. Davis: I would expect, Mr. Speaker, and I can't give any firm commitment on this today, that it should be fairly early in March.

Mr. Lewis: Another holiday gone.

Mr. Deans: There is one particular piece of legislation, the Condominium Act, currently before one of the standing committees, and there has been a commitment from many members of the House to a great number of people across the province that it would pass during this current session. Are we going to sit long enough to see that Act passed? The current situation is inflicting a great deal of hardship. It is intolerable in Ontario.

Hon. Mr. Davis: Mr. Speaker, I can't comment on that. I will be quite prepared to discuss it with the House leader.

Mr. Speaker: The member for Scarborough West.

TTC SUBSIDY

Mr. Lewis: May I ask the Premier whether he can give another public commitment that the fares of the Toronto Transit Commission will not be allowed to rise within the next several weeks, by way of guaranteeing further provincial subsidy if necessary?

Hon. Mr. Davis: No, Mr. Speaker, I can't give that commitment.

Mr. Lewis: Well, by way of supplementary, given the reversal on Spadina, the abandonment of Krauss-Maffei and the adoption of certain Soberman proposals, what is left of the Premier's public transit policy if he cannot at least contain the fares that are paid to the TTC?

An hon. member: What indeed?

Hon. Mr. Davis: Mr. Speaker, I guess I could take several minutes to answer that question; and I shall, now that I have been asked.

The public transit policy of this government I think is, hopefully, relatively simple to understand. That is, increased funding, both by way of operating and capital expenditure, to make public transit more viable in terms of our urban centres.

While there has been a great deal of attention focussed on some of the more interesting and novel parts of what we would like to see accomplished, the basic ingredient has been and still is – and the ingredient on which this jurisdiction is just light years ahead of any other in North America where they have similar problems – related to the commitment given regarding the capital expenditures by the various transit authorities and our subsidization of operating costs.

I think it is also fair to state though, Mr. Speaker, that there comes a time, with increased costs related to recent arbitration awards, where a degree of equity must be maintained as it relates to other fields of expenditure—

Mr. Lewis: Oh, so he is going to put fares up in Toronto. That's the last blow.

Hon. Mr. Davis: —where costs have increased. We will continue to pay operating grants; at what level as it relates to the various transit authorities, I honestly can't say here today. But it would be unfair of me to say that the transit fares will remain exactly as they are now.

Mr. Lewis: Well, the message is clear; the message is clear.

Mr. Cassidy: Is that a green light?

Hon. Mr. Davis: But, Mr. Speaker, whatever determination is made, this province will continue to enjoy one of the most enlightened transit policies you will find anywhere.

Mr. Lewis: Let him tell that to his backbenchers. Nobody else believes him. Not a soul believes him.

Hon. Mr. Davis: I don't need to tell them. They know, they know. If the leader of the New Democratic Party doesn't believe it, doesn't understand it, just let him take me to any socialist jurisdiction where it's any better. Just take—

Mr. Lewis: With pleasure.

Hon. Mr. Davis: Where, where? Let him show me one. Let him show me one. I will tell him something else—

Mr. Lewis: Well Scandinavia for starters.

Interjections by hon. members.

Mr. Lewis: Oh, he wants to stay in Canada? Much less exotic.

Interjections by hon. members.

Hon. Mr. Davis: I haven't finished yet. Where will we go? Is the member inviting me on a trip? Mr. Speaker, I want the record to show I am being invited on a trip.

Mr. Speaker: Please, the hon. Premier has the floor.

Mr. Lewis: We can discuss election financing on the way.

Hon. Mr. Davis: Does the member see any conflict in this trip?

Mr. Lewis: Not at all.

Hon. Mr. Davis: Not at all, I have it from the leader.

I would also point out, Mr. Speaker, that as it relates to one of the areas where this government was offering and will continue to offer some leadership as it related to the intermediate capacity carrier, one of the things that I found particularly interesting, and I haven't finished my total study of Mr. Soberman's report, was his, I think, almost total endorsation of the need for an intermediate capacity carrier of some kind.

Mr. Deans: Yes, but not Krauss-Maffei.

Mr. Cassidy: Not GO-Urban

Hon. Mr. Davis: While we have had a lot of fun with it here among our members opposite, particularly the member for York-Forest Hill (Mr. Givens) who refers to it in rather sarcastic tones, the fact remains that somewhere, some time, fairly soon, some jurisdiction is going to develop an intermediate capacity carrier; and I just hope it's the Province of Ontario that does it.

Mr. Speaker: Any further questions? The member for Scarborough West.

Mr. Lewis: The Premier annihilated the member for York-Forest Hill. He is speechless.

Hon. A. Grossman (Provincial Secretary for Resources Development): That isn't easy.

CATHOLIC CHILDREN'S AID SOCIETY

Mr. Lewis: A question of the Minister of Labour: Is the minister now prepared to appoint a senior member of his mediation staff to intervene in the most recent breakdown in contract negotiations between the Federation of Children's Aid Societies' staffs and the Metro Toronto Catholic Children's Aid Society?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, Mr. Stevens of our mediation staff is working on that and he's quite competent. Wages are still the main issue involved. At one time we thought it was union security, but wages are still a major issue. There has been movement by both sides, and I'm hoping for further movement in the near future.

ASBESTOS PROBLEM AT CANADIAN JOHNS-MANVILLE PLANT

Mr. Lewis: I have one question I want to put to the Minister of Health, which may lead to a supplementary or two. Is the Minister of Health prepared to launch, as he did in the case of Elliot Lake, a complete health examination, including chest x-rays, sputum tests and general examinations, of those workers presently employed, not just at Johns-Manville but in the asbestos industry generally, in order to give some kind of security to the workers who are involved; and to make the results public, as I think he intends to make the Elliot Lake results public?

Hon. Mr. Miller: Mr. Speaker, currently I can only assure people that we're doing quite a bit of x-ray work with anybody we consider at risk. I understand that the senior staff who have been working for some time at Johns-Manville are getting x-rays twice a year.

At the current time, sputum cytology is not being carried out. I have been talking to staff as recently as this morning, and the problem hasn't been one of willingness or

unwillingness, but one of the technical facilities to carry out the testing. I have asked as recently as 1 o'clock that we look into this as quickly as we can to see if there is capacity to do the testing on those people who may be considered at risk in that industry.

I'd have no reason not to carry out similar tests in other places where manpower permits it. I repeated the other day that my job is not to defend the company, it's to point out the risks in any industry where people work.

I feel, having reviewed the issues in this particular plant over the weekend, that perhaps some comments should be made to reassure not so much the workers, because as the member knows, the workers are getting the reports—

Mr. Lewis: Careful.

Hon. Mr. Miller: —and I believe the workers should get the reports—that we, from our staff, bring out.

Mr. Lewis: They're not getting the reports from the plant. They're not getting them.

Hon. Mr. Miller: I was told the union is given the information in Johns-Manville, and the reports are discussed with the union.

Mr. Lewis: No, no. They have to request reports. I spoke to the safety chairman yesterday; it is not so.

Hon. Mr. Miller: At this point in time it's the member's information against mine, and I'll be glad to check that. I can't argue that he's wrong or right.

Mr. Lewis: They have to ask for it.

Hon. Mr. Miller: I simply say I see nothing wrong with that. I think it's one of the best methods, if we can do it, of alleviating unnecessary concern or of finding places where we can clean up the act, whichever way it happens to work, and I'm quite willing to work on it.

But our standard is only 40 per cent of the US standard in this particular area. We allow two particles per cc; the American standard has been five. Five years ago ours was 12. We have progressively cut it down, so that by even the most pessimistic standard, currently, today a man would have to have over 50 years' exposure under the current working conditions to be eligible as a risk person.

Mr. Lewis: Nonsense. That's just unadulterated nonsense.

Mr. Speaker: Order, please. Order.

Mr. Lewis: And I'm surprised at the minister.

Hon. Mr. Miller: I'm surprised at the member. I'm surprised at him.

Mr. Lewis: Okay, wait for the supplementary that's coming.

Hon. Mr. Miller: I'm ready for the supplementary.

Mr. Lewis: Okay, that's fine. It's coming.

Hon. Mr. Miller: I only say to the member that I have seldom found him guilty of the type of smear that the man behind him, the hon. member for High Park (Mr. Shulman), is so excellent in. That's the type of thing; the fear-mongering that goes on in the world; the statements that there is—

Mr. Lewis: What fear-mongering? The minister has nerve. How does he explain fear-mongering to the men who have had asbestosis and have died? What kind of fear-mongering is that?

Hon. Mr. Miller: I do not have a nerve. I'm talking about—

Mr. D. C. MacDonald (York South): Was it fear-mongering in Elliot Lake?

Mr. Speaker: Order please.

Mr. Lewis: He is treating it lightly. He is being conned by his staff. He's being taken in by all the bureaucrats in his department, with his nonsense about fear-mongering.

Mr. Speaker: Order please. Does the minister have a further answer to the question?

Hon. Mr. Miller: I want to tell the member that I wasn't talking about in-plant conditions. Is he aware, for example, that we recycle all the air in that plant? Is he aware of that?

Mr. Lewis: So what? There was recycling of the air at Denison. They recycled the same dust.

Hon. Mr. Miller: We recycle it so that dust —I am talking—

Mr. Lewis: They recycle the same dust.

Hon. Mr. Miller: Sir—

Mr. Lewis: Come on; look at Denison. They said the same thing. Don't give us that.

Mr. Speaker: Order please. The minister is still answering the question.

Mr. Lewis: Is the minister apologizing for Johns-Manville?

Hon. Mr. Miller: I am not apologizing for them. I am apologizing to people in that community who the leader of the NDP has frightened to death over the weekend.

Mr. Lewis: What is the minister talking about? I don't have to frighten them to death; they died on their own, thanks to the minister's negligence and that of the government.

Hon. Mr. Miller: Oh, oh!

Mr. Speaker: Order please.

Mr. Lewis: They don't have to be frightened to death. Boy oh boy; has the minister got gall. Come on. Move in there and clean up that plant.

Hon. Mr. Miller: I am working on that plant; and I am proud of the work we are doing in that plant and the improvements we have made in that plant since our staff went in in 1959.

I am just saying that to make a person with eight kids—

Mr. Lewis: That plant is still 200 times above the recommended level. That's right; 1/100 of a fibre per cubic centimetre.

Mr. Speaker: Order please. There was a question asked and the minister is answering it.

Hon. Mr. Miller: I simply say that when the member frightens people in the community by statements—

Mr. Lewis: Frighten people?

Hon. Mr. Miller: The leader of the NDP did that very effectively.

Mr. Lewis: I just stressed the facts. What does the minister mean frighten people?

Mr. M. Shulman (High Park): Would the minister rather have them die than be frightened? He just doesn't want any of this to be public knowledge.

Mr. Speaker: Order please.

Mr. Lewis: He sits on the reports and represses them. He has a public responsibility.

Mr. Speaker: Order please. It seems to me the minister is straying from the original question. Has he completed the answer to the first question?

Mr. Lewis: The Speaker is right when he says the minister is straying from the original question. The minister is engaged in criminal negligence when he suppresses those facts, and he shouldn't kid himself.

Mr. Speaker: Order please. The member for High Park has a supplementary.

Mr. Shulman: Does the minister think a report released today by the Department of Preventive Medicine of the University of Toronto is fear-mongering when it says such casual contact with asbestos as working in a plant for four days can produce cancer of the larynx leading to death; that such casual contact as laying asbestos pipe for one month will produce cancer of the larynx leading to death; that the cause of cancer of the larynx has definitely been linked to asbestos? Does he think that is fear-mongering? Is the minister going to blame them?

Hon. Mr. Miller: Mr. Speaker, unlike another member, I am willing to look at his article as well as the ones I have.

Mr. Shulman: It is not an article.

Mr. Lewis: It is a study in Toronto, at the university.

Hon. Mr. Miller: The fact remains there is a lot of literature in the scientific journals, not done by the staff in my ministry, to indicate the tolerance and levels at which people can work. Now either you are going to say you cannot work with asbestos at all, or you are going to minimize the risks so that the odds of illness are very low; and we are trying our best to do that.

Mr. Shulman: Supplementary, Mr. Speaker: Is the minister not aware that a study was done at the Toronto General Hospital of every person who died of cancer of the larynx, and they have definitely linked it to asbestos? Is the minister not aware of that?

Mr. Laughren: He is looking for a way out.

Mr. Shulman: He is not aware. He knows nothing of what is going on, and yet he calls me a fear-monger.

Mr. Speaker: Any further questions—the member for Scarborough West?

Mr. Lewis: One supplementary on this, which I didn't intend to ask, but the minister certainly can aggravate a person; which is perhaps uncharacteristic of him.

Interjections by hon. members.

Mr. Lewis: Well I am usually a placating moderate, but on this issue, by God, I want to ask the minister now: Does he know that 800 bags of blue asbestos, which he himself has described as a danger to health, which the head of his occupational health branch described as a danger to health, are now sitting in that plant at Johns-Manville? Does he know that three tractor-trailers of blue asbestos were delivered just last week? Will the minister explain to me how he can allow that to continue when he has himself documented the hazard?

Hon. Mr. Miller: Mr. Speaker, the assumption that one never works with hazardous material in industrial settings is totally incorrect. The question is to recognize the danger and to take action to prevent disease from it.

Now there are many things we wouldn't work with if we took the assumption that the member took as the foundation of the working conditions. Vinyl chloride monomer would be ruled out at once; nickel carbonyl would be ruled out at once—

Mr. Lewis: Does the economy require blue asbestos?

Hon. Mr. Miller: —blue asbestos would be ruled out at once. But it is our job to try and make sure that the working conditions are maintained for safety.

Mr. Lewis: What is more important?

Mr. Speaker: Any further questions? The member for Scarborough West?

Mr. Lewis: No, sir.

Mr. Deans: Who is going to protect the people if the minister doesn't?

Hon. Mr. Miller: I am doing it, whether the member believes it or not.

Mr. Deans: No, the minister is not. He teels me that the people are not the first consideration.

Mr. Speaker: I would just point out that there has been a great deal of time spent on this. The member for Sandwich-Riverside may have one supplementary.

Mr. F. A. Burr (Sandwich-Riverside): A supplementary of the Minister of Health: Are x-rays and other precautions and concerns being shown to the workers at the Holmes Insulations plant at Pt. Edward as well as at Johns-Manville?

Hon. Mr. Miller: Mr. Speaker, I would have to ask that of my staff, because I don't know myself; but I will find out.

Mr. Speaker: The Minister of Consumer and Commercial Relations has the answer to a question asked previously.

Mr. Lewis: There is more of this to come.

ALLEGED LCBO HARASSMENT

Hon. Mr. Handleman: Mr. Speaker, I have the answer to a question raised on Jan. 27 by the member for High Park, who can hear me even though he is not in his seat at the present time.

The member asked: "Has the minister looked into the complaints of harassment by the Liquor Licence Board which were sent to him by the Concordia Club in Kitchener? What has been the result of that looking in, if he has done it?"

Mr. Speaker, I'm always very concerned whenever an agency for which my ministry is responsible is accused of harassing any segment of the public. I asked for and have received a full report on the activities of both the Concordia Club and the inspectors of the LLBO since the club first applied for a liquor licence in May, 1955. We have a 20-year history and sequence of events.

After a careful examination of this report, I am convinced there has been no harassment, and in fact this club has been frequently in violation, not only of the liquor regulations of the province but also of its own charter and bylaws. I think the inspectors of the LLBO have gone out of their way to be fair to the club and have repeatedly brought infractions of the bylaws and regulations to the attention of club officials, only to find them repeated time and again.

Following the club's appearance before the board in a "show cause" hearing on Oct. 23, 1974, at which the club's licence was suspended for seven days for service of liquor to non-members, the club's solicitor wrote to Mr. Mackey, chairman of the board, thanking him for a fair hearing and for the courtesy extended by the board.

If the hon. member is interested, I will be glad to show him a copy of the report I referred to in my answer.

Mr. Speaker: The member for Rainy River.

OPP TAKEOVER OF LOCAL POLICING

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker. I have a question of the Solic-

itor General. Has the police commission, under his direction, drawn up any guidelines for the takeover of local police departments by the OPP, either in a regional government setting or just generally speaking, so as to avoid the kind of problems that happened, I believe in Napanee, where the local police force was taken over without the men involved knowing exactly what was going to happen to them or what the guidelines were-

Hon. Mr. Kerr: Mr. Speaker, dealing with the latter part of the hon. member's question, the Ontario Provincial Police have not taken over the police in Napanee.

Mr. Reid: Regional government.

Hon. Mr. Kerr: The Napanee police force has decided to carry on as it was in the past. It depends on the particular area—

Mr. Reid: I am talking about guidelines.

Hon. Mr. Kerr: Pardon?

Mr. Reid: They didn't know what was going to happen.

Hon. Mr. Kerr: It's been the practice, Mr. Speaker, that when a particular municipality wishes to be taken over by the OPP, to amalgamate with adjoining forces, or to have a county force, usually a study is undertaken by the police commission, as was done, for example, in Huron. Then the OPC will make recommendations and give various alternatives to the local people to decide how they want their policing handled in the future.

Where there are OPP detachments, for example, surrounding a municipal force in a small community, the OPP will, in most cases, agree to take that force over. Mr. Speaker, the task force on policing has recommended that all small forces of under 15 members be either amalgamated with other forces in the area or taken over by the Ontario Provincial Police.

To answer the hon. member's question, there are guidelines, there are suggestions, directions and recommendations, but we for the most part leave the decision up to the local force and the local police commission.

Mr. Speaker: The member for Sandwich-Riverside.

MID-TERM SCHOOL BREAK

Mr. Burr: I have a question of the Minister of Education regarding the mid-term break in Ontario schools. Is the minister aware of the considerable disruption to the plans of families and to the plans of children-oriented organizations that is being caused by the decision to leave to the local boards the determination of dates for the mid-term break?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I am aware there are some problems involved—some very real problems —however I guess this is the price we have to pay for local autonomy and local decision-making.

Mr. Burr: Mr. Speaker, I have a supplementary.

Mr. Speaker: A supplementary?

Mr. Burr: What merit is there in having local autonomy in this matter? What merit is there?

Interjections by hon. members.

Hon. Mr. Davis: You know, Mr. Speaker, the member is sounding like these fellows.

Hon. Mr. Wells: Mr. Speaker, my friend, perhaps, doesn't want any local autonomy, but when you have local autonomy you have to accept the kind of decisions that are made by the local people. I've told people who have written me about this—

Mr. Deans: It is a bit selective though, the minister must admit.

Hon. Mr. Wells: —that certainly there should be consultation between, for instance, the separate school boards and the public school boards and the neighbouring boards. But surely in this matter of the school year, we debated it when an amendment went through this House—and the member probably voted for that amendment a year or so ago—we debated it fully then and we said: "We are turning over to the local boards some degree of autonomy to plan the school years, including when the mid-winter break is;" and that's what we did.

Mr. Speaker: The hon. Minister of Revenue has the answer to a question.

OVERTAXING OF AUTOMOBILES

Hon. A. K. Meen (Minister of Revenue): Thank you, Mr. Speaker. On Tues., Feb. 4, the hon. member for Essex-Kent (Mr. Ruston) asked me if I was aware of what he suggested was "overtaxing of automobiles resulting from the rebate instigated by the big four auto

companies," and whether I was considering "the refund of the seven per cent sales tax on the amount of the rebate to the consumer."

Mr. Speaker, where a car dealer allows a reduction in the selling price of an automobile because he's being compensated in a like amount by a supplier, the retail sales tax is, naturally enough, applicable to the selling price, net of the reduction. However, where the rebate is made directly to the consumer by the automobile manufacturer, as appears in many cases to be the case, and the dealer has not reduced the selling price of the automobile to the customer, the rebate cannot be used to reduce the amount on which the sales tax is applicable.

In this second kind of case, the selling price negotiated between the dealer and the customer is unaffected by the rebate, the rebate can't be considered a discount and therefore does not act to reduce the amount upon which the tax is applied. The rebate transaction is a separate agreement between the customer and the automobile manufacturer.

Mr. R. F. Ruston (Essex-Kent): Supplementary.

Mr. Speaker: One supplementary.

Mr. Ruston: Mr. Speaker, to the minister: The actual price the consumer is paying for that product is really with the rebate off.

Mr. Speaker: Order please, you are debating it. Do you have a question?

Mr. Ruston: Yes, I am just asking, isn't the minister really over-collecting in sales tax, because the consumer is not paying that full amount, in effect?

Hon. Mr. Meen: No, Mr. Speaker, I have just outlined to the hon. member that I'm not. I'm applying the tax on the basis of the contract price. Whatever happens after that is between another party—namely the manufacturer—and the purchaser.

Hon. Mr. Grossman: What about the federal tax?

Mr. Speaker: The hon. member for Downsview.

Mr. J. R. Breithaupt (Kitchener): Supplementary.

Mr. Speaker: I said one supplementary. The time is fast flitting. You may ask something as a new question later. The hon. member for Downsview.

MINING TAX REVENUE

Mr. Singer: I have a question of the Minister of Natural Resources. Has he been able to ascertain the incidence of tax raised by the mining tax and its projection forward to the end of the fiscal year ending March 1 next; and the comparison of what the mining tax has raised in this fiscal year as compared with the last fiscal year?

Hon. L. Bernier (Minister of Natural Resources): I don't have those figures right handy, Mr. Speaker, but I'm sure the hon. member realizes we can get a projection. That projection, of course, would all depend on the price of metals. There is a definite decline in metal prices right across the whole spectrum, so that would have an effect; but we would be glad to get a projection for the member for 1975.

Mr. Laughren: Trade revenues for Inco—

Mr. R. F. Nixon: Supplementary: Since we will be debating this tax law, probably some time today, would it be possible for the minister to make that information available, or the best projection he has, so that it could at least form the basis of some of the discussions tonight?

Hon. Mr. Bernier: Mr. Speaker, I'll see what we have within the ministry. If we have something reasonably reliable then I'll bring it forward.

Mr. Speaker: The hon. member for Cochrane South.

MINING CROWN CORPORATION

Mr. W. Ferrier (Cochrane South): Mr. Speaker, a question of the Minister of Natural Resources: Has the minister abandoned the idea of setting up a provincial corporation to do exploration in mining? If he has abandoned it, why has he done so when the amount of staking in the mining areas of the province is going down?

Hon. Mr. Bernier: Mr. Speaker, let me reassure the hon. member for Cochrane South that staking in the Province of Ontario in 1974 has not declined. In fact, it has gone up considerably over 1973.

We have not abandoned our ultimate goal of setting up a Crown corporation with regard to exploration, but it may be slightly delayed because we are going into a number of other different fields. One could be, as was pointed out in the budget speech, the extension of the MEAP system—that's the

Mineral Exploration Assistance Programme—into a number of different areas across the province. That would be part of it. But we have not at this time abandoned our ultimate goal of setting up a Crown corporation.

Mr. Speaker: The hon. member for Windsor-Walkerville.

SUN TOOL AND STAMPING CO.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Labour. The minister is aware of the discussions we've had over the last couple of days concerning the Sun Tool and Stamping Co., and the $55,000 worth of vacation pay that is being withheld. Would the minister clear up this situation? From discussions that I've had there appear to be three different agencies involved—that is, the Provincial Bank, the Ontario Development Corpn. and the adjustment assistance board, a federal body—and one seems to be putting the blame on the second.

Hon. Mr. MacBeth: Mr. Speaker, the member for Windsor-Walkerville spoke with me late on Friday afternoon about this matter. Regrettably, I haven't been able to get to the root of the matter yet. As I understand it, Sun Tool and Stamping Co. of Windsor has a loan guaranteed by la Banque Provinciale of over $80,000. I understand that ODC is the first body behind that loan; but behind that again, the second body is the General Adjustment Assistance Programme. I understand that the General Adjustment Assistance Programme, which would be the first loser, is asking the ODC to share some of the possible loss involved. That's what I understand the position to be. We believe that the GAAP should take the entire loss on the matter, but I will have further information for the member tomorrow, I hope.

Mr. B. Newman: Supplementary, Mr. Speaker: May I ask the minister to check with ODC so that we could speed up the release of the funds and the workers could get their vacation pay, because it is adversely affecting them?

Hon. Mr. MacBeth: Mr. Speaker, I don't know whether my colleague has any further information to add on it or not, but I'll follow it up with the member.

Mr. Speaker: The hon. member for Wentworth.

PEACE BRIDGE INCIDENT

Mr. Deans: I have a question of the Solicitor General. Has he had brought to his attention an incident which occurred over the weekend at the Peace Bridge where Buffalo police chased an Ontario-licensed vehicle across the bridge, stopped it in Ontario, accosted the driver and then left without even communicating with the Ontario Provincial Police? What action does he plan to take to correct these things?

Hon. Mr. Kerr: Mr. Speaker, the information I have was that this happened Sunday morning about 4 o'clock. Apparently there was a truck with Ontario licence plates that was being followed by a couple of Buffalo police cruisers and there was some suspicion that an offence had been committed. The Buffalo police attempted to stop the Canadian vehicle. The Canadian vehicle took off across the Peace Bridge and apparently the vehicle was stopped about 60 ft past the immigration checkpoint on the Canadian side of the bridge.

There was some discussion between the immigration authorities and the Buffalo police, said: "We want you to notify the Niagara regional police force and we will stay here until someone from that force turns up." Now that was done. Apparently, however, there was a scuffle at that point and the Canadian driver of the vehicle, I believe, was hurt.

Mr. Lewis: He was hurt? I heard he had a concussion.

Hon. Mr. Kerr: I have asked for a report from the chief of the Niagara force so that I can get the details, particularly as to what offence the Canadians had allegedly committed. I understand that two other occupants in the vehicle have been charged by the Niagara police.

Mr. Deans: With what?

Hon. Mr. Kerr: I believe with either disorderly conduct or assault. I will get the full particulars, Mr. Speaker.

Mr. Speaker: The hon. member for York Centre.

Mr. Lewis: He had better bring NORAD into this.

LIQUOR ADVERTISING

Mr. D. M. Deacon (York Centre): I have a question of the Minister of Consumer and

Commercial Relations. Has the minister studied the new Quebec legislation with regard to liquor advertising; and if so does he propose to introduce similar legislation here in Ontario to avoid existing association between alcoholic beverages and achievement?

Hon. Mr. Handleman: Mr. Speaker, not only are we away ahead of Quebec, they have copied us almost word for word. I would be pleased to send the hon. member a copy of the Ontario Liquor Board's directive on advertising so he can compare ours with the Quebec regulations.

Mr. Deacon: Is that now in legislation?

Hon. Mr. Handleman: It is not in legislation; it has been isued and is in the hands of all the advertisers and agencies.

Mr. Deacon: For what purpose?

Mr. J. A. Renwick (Riverdale): By way of supplementary, for what purpose is it in the hands of the advertisers and in what way is this government ahead of the Province of Quebec, which has promulgated it and established a date on which it is going to come into force?

Hon. Mr. Handleman: Mr. Speaker, we are ahead of the Province of Quebec in that we have designed the directive—

Mr. Renwick: Would he let us have a copy of it?

Hon. Mr. Handleman: It's in the hands of the advertising agencies as guidelines to them.

Mr. Deacon: Why doesn't the minister let the public know what he is doing?

Interjections by hon. members.

Mr. Speaker: The Minister of Natural Resources has the answer to a question asked previously.

MINING TAX REVENUE

Hon. Mr. Bernier: The member for Downsview was asking what are our projections for revenue out of the mining tax. I am informed that the budget address last spring indicated about $88 million, and our estimate now is $144 million.

Mr. Speaker: We have about 30 seconds. I think the member for Waterloo North was up earlier. Can you decide which one? Okay.

Mr. Good: A question of the Minister of—

Mr. J. E. Stokes (Thunder Bay): The last question was asked by the Liberals.

Mr. Speaker: You are right. I looked over there a moment ago when that question was finished and no one rose. The hon. member for Thunder Bay.

YOUNG TRAVELLERS' PROGRAMME

Mr. Stokes: I have a question of the Minister of Education. Has he communicated with his colleague and seat mate, the hon. provincial Treasurer to see whether or not he is going to extend the assistance to the Ontario Young Travellers' Programme beyond the end of this fiscal year?

Hon. Mr. Wells: Mr. Speaker, does my friend mean are we going to have the Ontario Young Travellers' Programme in the next fiscal year? Yes, the answer is yes, we will be having it.

Mr. Stokes: Will he accept applications from groups who will be coming after the fiscal year, because it is my understanding they are being held in abeyance until March 31 and it's impossible for them to plan on that basis? Can I give them the assurance they should go ahead and make application?

Hon. Mr. Wells: Yes, certainly Mr. Speaker. I think my friend knows, though, that it is perhaps rather presumptuous for me to spend money ahead of estimates being introduced, and so forth.

Mr. Reid: Especially if the government is having an election.

Interjection by an hon. member.

Mr. MacDonald: Never been done before.

Hon. Mr. Wells: But we would be happy to have them put their applications in.

Mr. Speaker: The question period has expired; but the member for Waterloo North has a point of order, I believe.

Mr. Good: A point of order, Mr. Speaker. I am sure the Minister of the Environment would not want to mislead the House when he left the impression he had not promised any environmental assessment legislation in this session. I quote from page S-1793 of Hansard on the ministry's estimates where he says: "As far as the environmental assessment legislation is concerned, I intend to introduce that very early in the session."

Mr. Lewis: Wrong again.

An hon. member: That was just an intention.

Hon. W. Newman: In answer to that point of order, that's exactly what was said, "very early in the session"; the next session.

Mr. Reid: Which session?

Interjections by hon. members.

Mr. Speaker: The question period has expired.

Petitions.

Presenting reports.

Mr. Hamilton from the standing social development committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. Cassidy: Committee, Mr. Speaker.

Mr. Speaker: Will the hon. minister—which minister is it? Oh it's the only place it can go—that's right. Committee of the whole House then. I am sorry, I didn't hear till after we had carried it.

Agreed.

Hon. Mr. McKeough tabled vol. II and vol. III of the public accounts, 1973 and 1974.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The first order; resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. S. Lewis (Scarborough West): First order, resuming the adjourned debate on last year's budget.

Mr. R. F. Nixon (Leader of the Opposition): The sugar cane speech?

Mr. Speaker: Of those who are standing up, the member for Wentworth appears to have the floor.

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker. I have two or three matters that I want to raise this afternoon in the discussion on the budgetary policies of the government. I want to do them in a particular order, at least initially becauses I want to deal with two things that may be of interest to two of the ministers who are here, while they are still here.

I started this speech, as you'll recall, Mr. Speaker, last November, and it's been sort of moving along little by little. I have to confess that while I thought I might have had time during the Christmas recess to pull together all of the material that I thought I could put on the record for public consumption, I haven't really had as much time as I expected to have.

I want to talk about four or five different topics; I will tell you what they are, Mr. Speaker, and then I will talk on them. I will very quickly cover the one dealing with home ownership in a moment; I want to talk about the Nanticoke to Hamilton throughway again, because I think it's important; I want to put a few remarks on the record with regard to redistribution. Unfortunately I wasn't able to be here during the debate and so I am going to take advantage of this opportunity to—

An hon. member: Was the member sick?

Mr. Deans: I wasn't sick, no; I was on vacation. Then I am going to talk about rents; about the HOME programme; I have some comments about nursing homes; I'll talk a little bit about the central utilities plant in the city of Hamilton; about a particular picket line incident at International Harvester in Burlington; and I think if we get through all of those things, it will probably be time to adjourn the debate at 6 o'clock.

I want to turn to the home ownership matter. As you know, sir, I have been speaking for some time now about what I consider to be an inadequate way of dealing with the Home Ownership Made Easy programme, particularly with regard to the lottery system. I have put together a number of things which have caused a great deal of aggravation to many people who applied for the lottery or who took part in the lottery and who either were or were not successful—it didn't seem to matter. Even those who were not successful seemed to suffer the

same kind of aggravations as some people who were successful.

I raised with the minister one day last week a particular problem. I want to deal with that first of all.

A couple put their name in to the lottery. To the best of their knowledge they qualified —and I want to make it clear that it's quite easy in the month of November not to be able to assess accurately exactly how much money you have earned during the year. They thought that they fell within the $17,000 and they signed the document to that effect. They had forgotten that there had been an increase given during that time; in addition to that, there had been a bonus paid. And so, when the final calculation time came around it turned out that they were some hundreds of dollars—not thousands, but some hundreds of dollars—over and so I am not making a case with regard to their eligibility. It turns out they were not eligible. But it is when this came to light that bothers me.

I want to say to the Minister of Housing (Mr. Irvine), through you, Mr. Speaker, I have a number of the documents here before me that these people were required to sign, all of which left them with the impression of eligibility. They began, of course, in December, 1974, by signing something called "Schedule C acknowledgement" to the Ontario Housing Corp. It is that document which said that they, to the best of their knowledge, believed they had fulfilled all of the eligibility requirements and that their income was not in excess of $17,000 combined per annum.

There was nothing much said about that from that point on. They were asked to get documentation from their employers showing what they had earned. Their employers sent the documents in. Ontario Housing, upon looking at them, decided they weren't in the proper form and they asked the couple if they would send in an additional document from each of their employers, setting out what their actual earnings were on the stationery or letter head of the place where they were employed. That was done, as I recall, in the second week of January, 1975.

At the time they first entered into an agreement—and I have in front of me an agreement that's called "Agreement of purchase and sale of leasehold land under the HOME programme," and it has on it the date of the closing of the deal. The agreement says, under section 12: "The sale shall be completed on or before the 15th day of January, 1975," and that's important. The deal shall be completed on or before the 15th day of January, 1975. It goes on to say, "on which date vacant possession of the real property shall be given to the purchaser which shall be the date of closing."

They signed this and they sent it in, together with their statement—and the statement they sent to Ontario Housing indicated that in fact they had earned several hundred dollars more than they had anticipated. So they wrote to Ontario Housing on Jan. 10, and recognizing that they were within five days of the closing date, they put a PS at the bottom of the letter, which they sent special delivery registered, saying: "If there is a problem, would you please phone collect because we are most eager that there should be no difficulty encountered on Jan. 15," which was very close.

The minister responded to me when I raised it with him by pointing out that they were not eligible, and I readily admit that. He then stated that they had been telephoned on Jan. 16, which even to me is after the closing date but, fair ball. I've spoken to the people involved and they assure me, and would do so in writing, and would sign an affidavit to the effect, that they did not receive a telephone call on Jan. 16. The man was working that day and his employer is prepared to swear to the fact that he was at work all day. He did not at any time during the day receive a telephone call. Nothwithstanding that, I point out that even Jan. 16 is after Jan. 15, and Jan. 15 was the closing date on the documents which were filled out by them, duly signed and submitted to Ontario Housing Corp.

Hon. D. R. Irvine (Minister of Housing): But they're not eligible anyway.

Mr. Deans: I'm not denying that. What worries me is that these people signed every single document required of them. They signed a purchase, they took over the property. They responded. I read to you from the solicitor for the builder. He's writing to the solicitor for the purchasers:

> I now enclose a form of undertaking which I require your clients to sign. Please return two copies of the undertaking to me and a cheque in the amount of $938.39, payable to my order for the amount due on closing which I undertake to deposit in my trust account.

It was the normal letter. This was dated Jan. 13. These people thought when they signed that, since they hadn't heard from Ontario Housing Corp. otherwise, that they must have been accepted and that there must have been some room for adjustment. It's not unusual that there would be room for

adjustment of a couple of hundred dollars. It turns out it wouldn't have done; but at the time that the documents were filed they thought that perhaps there was some room for leeway in the whole transaction and that the reason they hadn't heard back was that they had been given the authority to go ahead.

Hon. Mr. Irvine: I think in all fairness they did not include $950.

Mr. Deans: No, no. I'm going to come to that. I'm not quarrelling with their eligibility. I'm not quarrelling with that at all. I'm coming to what I'm going to quarrel with and I'll tell you in a minute. They had obtained the adjustments and they signed the appropriate undertaking to assume the mortgage and to assume all of the liabilities that the builder had. Then they received a letter, dated on its face, Jan. 27, 1975, in an envelope which they received on Jan. 29, 1975. That's two weeks after the closing date, a closing date which was filed with Ontario Housing Corp., a closing date which the Ontario Housing Corp. had brought to their attention by registered letter on Jan. 10, and which appeared for some reason or other, not to have concerned anyone at Ontario Housing Corp.

Hon. Mr. Irvine: Well, it wasn't received until Jan. 14. We have to get that straightened out.

Mr. Deans: Well, if it were received on Jan. 14 and they looked at it and recognized that the closing date was Jan. 15, a telephone call or even a telegram—we use them often—would have informed the people that they had been disallowed and that they were not entitled to the property.

What I'm quarrelling with you about is that these people entered into that lottery in October. They were told in November that they had qualified. They filled in all the forms in good faith. They even sent in the form that said what they were earning. At that point, it was considered to be about $200 more or maybe $250 initially. That was their employers' initial calculation. But even the employers weren't absolutely sure at that stage. They sent in those things. They got correspondence from Ontario Housing Corp. They then fulfilled that requirement by sending in yet a further statement. They wrote to Ontario Housing Corp. saying, "for heaven's sakes we are almost at Jan. 15. If there is a problem, tell us, and we won't move." They gave notice of the place they were living in; they purchased appliances to move; they weren't told until two weeks after the closing date.

Now, the minister may say to me they should have known, and maybe I would agree with him they should have known—but since they asked specifically for guidance on the matter; since they came to Ontario Housing Corp. without in any way trying to hide their intent; since they put to them as clearly as they could the emergency situation they were faced with; since they responded as quickly as they could possibly respond to Ontario Housing Corp.'s requirement that they file another statement of earnings; then surely there was a—

Hon. Mr. Irvine: Which is a very important point.

Mr. Deans: I understand; but that statement of earnings should have been required at least a month before.

Hon. Mr. Irvine: Sure, but they are the ones who should have submitted it.

Mr. Deans: But they did submit it.

Hon. Mr. Irvine: They didn't.

Mr. Deans: They submitted a statement of earnings, and were informed that it was on the wrong form.

Hon. Mr. Irvine: They didn't submit it correctly.

Mr. Deans: They didn't submit it correctly? How in heaven's name is anyone to know how to submit correctly? They filled in every damn form they were asked to fill in.

Hon. Mr. Irvine: If they don't know how much they make, there is something wrong.

Mr. Deans: No, there isn't something wrong. The minister's people seem to think everybody is on a salary. Some people earn by the hour; some people are paid by the hour. If you happen to work overtime for three weekends in the course of a full year, you could be $500 or $600 over what your mental calculation of your earnings for that year may have been.

Mr. Speaker: Order please. I would ask the hon. member for Wentworth, and also the minister, that they address their comments through the Chair rather than across the House.

Mr. Deans: I don't want you to think for one moment, Mr. Speaker, that because I have got my back to you I am not speaking

to you. You just consider that my remarks at any time are going through you; but the minister is sitting in the wrong place, that's all. He should be up here somewhere—okay? I do want to talk to the minister; it is not really to you. Okay? I wouldn't want you to think you had to do anything about it, because I know you can't.

Mr. Speaker: Order please.

Hon. Mr. Irvine: We never ignore the Speaker.

Mr. Deans: Okay. So I will say it now, through you, Mr. Speaker, from now on I am speaking to him, okay?

I am interested to inform him of something. Surely to heaven it is not much to expect that there should be correspondence from Ontario Housing Corp. to all of the people who were "accepted" in the lottery—in other words, whose names were drawn—and that that correspondence should set out clearly exactly the form to be used; the time limits to be imposed; the requirements upon the people who had their names drawn. If they then didn't follow those requirements, then, of course, they have no one to blame but themselves.

But there was no communication. They were left with the impression that they were dealing now with the builder, that all of their Ontario Housing Corp. dealings had ceased. They had signed all that they were asked to sign, through you, Mr. Speaker.

In addition to that, they were then verbally told, and told by mail too, that: "You now deal with your builder. Your builder is Mr. X and he builds houses. You go and you see him, and you will arrange the thing with him."

They then assumed that if the lawyer for the builder—who ostensibly is acting on behalf of Ontario Housing Corp. at that point, because he has been authorized to build houses on their behalf—was prepared to accept all of the documentation which had been placed before them; and if that lawyer hadn't received any communication from Ontario Housing Corp. telling him that these people were ineligible; and if they hadn't received any communication from Ontario Housing Corp., telling them that they were ineligible; and since Ontario Housing Corp. didn't correspond with them immediately upon recognizing the closing date was upon them and that they were faced with the possibility of having to move two or three times; and since no communication was received from Ontario Housing Corp., it was quite reasonable for them to assume that there was some room for adjustment — that someone, somewhere had said: "Although $17,000 is the limit, we allow one or two per cent over in the case"—

Hon. Mr. Irvine: It doesn't say that anywhere.

Mr. Deans: No, I realize it doesn't say it anywhere, but there is no reason to assume otherwise, because it happens in many transactions. When it comes right down to it, we must recognize that people's incomes fluctuate in accordance with the amount of overtime they have worked; in accordance with whether or not their wife has worked for a full year or part of a year; in accordance with whether or not they have changed jobs during the course of a year; whether or not they've had their vacation yet; whether they've been laid off at any time during the year. You've got to admit, Mr. Speaker, that it's a very difficult thing to keep close tabs on your actual income during a calendar year prior to receiving your T-4 slip. I couldn't tell you exactly how much I've earned this year, and I don't think you could tell me exactly how much you've earned, and I doubt very much if, without waiting for your T-4 slip, you'd be able to tell us exactly to the penny what your earnings have been.

Hon. Mr. Irvine: What did the figure come to in the final analysis, Mr. Speaker? It came out to $17,950.

Mr. Deans: Yes, but I'm going to tell you, Mr. Speaker, that even that figure may turn out not to be exact. What the minister has to face is that in November, when they were talking about earnings, they were talking about earnings up to and including the time when they originally filed their application. It would be much easier to find out what their 1974 earnings were in January or February, obviously, than it would be to try to determine what they might be in the month of November, given that there are still six weeks or more of the year to go and no one can tell exactly whether they will be earning during that period or how much.

Let me put it to you this way, Mr. Speaker. If they had known in November that their projected earnings for the year were going to be $900 over, do you know that either or both could probably have made arrangements not to work for the last month of the year in order to qualify? It would have been possible for them to take some action to try to make sure their earnings were not as high during that calendar year.

But the fact of the matter is that because of the slowness of the process—and that's what I'm getting at; because it's not clear in any sense how one goes about qualifying and what kinds of requirements are placed upon people—that these people are now going to have to move out of that house after having been allowed to move in, after having assumed all of the obligations.

Hon. Mr. Irvine: They didn't get in with with the permission of OHC. They got in without permission.

Mr. Deans: But I want to tell the minister something, Mr. Speaker. Nowhere in the documentation is there anything that says that you have to have permission from OHC —nowhere. It simply says, if you are approved—and the approval, I say to you, is tacit. It's tacit if, in fact, the lawyer acting on behalf of the builder who is acting on behalf of Ontario Housing Corp. is prepared to proceed with the deal. That's what I'm arguing about.

The minister can do nothing for these people, perhaps. It may well be that I shouldn't even raise it in that way. But he is going to have to make clear exactly what will be required by anyone whose name is drawn. He's going to have to make it clear; it isn't clear now; it's not nearly clear now. When those people had a Jan. 15 closing date I tell you, Mr. Speaker, that they expected that some communication might be forthcoming which would inform them one way or the other—and it didn't come. When the builder's lawyer, knowing full well what their conditions and situation were, went ahead and closed the deal they assumed—wrongly, but they assumed—that that was done on behalf of Ontario Housing Corp. I don't think that that's—

Hon. Mr. Irvine: Wrongly is right.

Mr. Deans: Wrongly, perhaps, but you can't have so many fingers in one pie, Mr. Speaker. The people start out by dealing with National Trust. No sooner does their name get drawn than National Trust wash their hands of it. They're finished, that's the end of it. "Don't come back to us. It's now in the hands of Ontario Housing Corp."

They communicate with Ontario Housing Corp. They say: "Your builder will get in touch with you." So the builder gets in touch.

At that stage the builder takes on the mantle of Ontario Housing Corp. At that stage that builder, having been approved, takes on the responsibilities for ensuring that the requirements of Ontario Housing Corp. are fulfilled.

Hon. Mr. Irvine: Not in regard to the mortgage. That is the point I'm making.

Mr. Deans: Nowhere—in any of the communications, in any of the advertising, in any of the statements of Ontario Housing Corp.—does it say that in addition to entering into agreement with the builder's lawyer, or with the builder through his solicitor, that you have to wait until Ontario Housing Corp. gets around to deciding whether or not you're eligible.

Hon. Mr. Irvine: Ontario Mortgage Corp., as does every other person who applies for a mortgage.

Mr. Deans: Not so. Every other person who applied did not, and I bring to the minister's attention at least one other incident.

Hon. Mr. Irvine: Well, there's always someone who wants to—

Mr. Speaker: Order, please.

Mr. Deans: But you understand that the people had been given a closing date, and the closing date was filed with Ontario Housing Corp.—it was Jan. 15. They went ahead and completed the agreement on Jan. 15.

Hon. Mr. Irvine: Where are these people going to get their mortgage from?

Mr. Deans: Where were they going to get their mortgage from? These people assumed when they signed the undertaking—it is an undertaking for a mortgage, good God.

Hon. Mr. Irvine: Which was not approved.

Mr. Deans: Which was not approved. But how were they to know? What are they supposed to do?

Hon. Mr. Irvine: I would expect they'd wait like the hon. member, or anybody else.

Mr. Deans: They wrote to Ontario Housing Corp., they phoned Ontario Housing Corp.; what are they supposed to do? They didn't get any communication until two weeks after the date, two weeks afterwards.

Hon. Mr. Irvine: They very obviously knew they were wrong, and I don't know why the member is putting up such a defence for them because they haven't got a leg to stand on. He knows that.

Mr. Deans: You obviously don't understand. Do you think it appropriate—I'll wait until the minister finishes.

Hon. Mr. Irvine: Sorry.

Mr. Deans: It is okay. I understand there is other pressing business to be conducted as well as what I want to talk about.

The minister is defending the indefensible, I've got to say to him in regard to this. I'm not suggesting for a moment that these people did qualify. I'm criticizing the lack of communication between Ontario Housing Corp., and these people and that builder. If they couldn't get hold of the people between the 10th and the 15th, they could have notified the builder not to close the deal because the people didn't qualify. Surely that would have made sense, wouldn't it? A communication to the builder saying, "Don't close on the 15th. Extend the closing date because there is some problem over the financing of the mortgage; they don't appear to qualify." Wouldn't that have made some sense? Doesn't the minister think that's how to deal with people?

I say to the minister they felt they had done everything and they sent in their statement in good faith and they thought—wrongly—that there was some latitude within Ontario Housing Corp., and they expected to get a communication if that wasn't the case. In no way did they file in an attempt to take advantage of something unfairly. They didn't claim that they made less than they made. Has the minister found out by some other method that they didn't? They filed honestly with the ministry. They really believed when they moved in on the 15th that they had been approved because nobody, anywhere, told them otherwise.

I want to suggest to the minister that when he set up his committee to study the way in which the home ownership programme is run, that's another of the things that has to be dealt with. Those people have incurred substantial costs. They have given up the apartment in which they lived. They have acquired a number of appliances which cost them a considerable amount of money. They have paid to move. They have hired a solicitor. They have gone through all of the things that people normally do in the process of changing from one location to another, and now they are going to have to move again.

Hon. Mr. Irvine: They hired a solicitor?

Mr. Deans: No, they acquired a solicitor for the purposes of the deal.

They followed all of the forms that the builder required of them. There was no evidence on the record to show that Ontario Housing Corp. had in any way disallowed them. They were allowed to move in; they moved in. They were there two weeks before Ontario Housing Corp. got off its backside and told them that they weren't eligible. They had already passed the closing date.

It just is incomprehensible to me that an operation could be that sloppy. If somebody wrote me a letter setting out a date, and that date was tomorrow and I knew that they weren't able to qualify, I'll tell you I think I would have found a way to communicate with the people to let them know, Mr. Speaker. A telegram was the obvious way. A communication with the builder was equally obvious.

But as to the ministry's claim that they were phoned on Jan. 16, I can assure the minister that they are prepared to swear that they weren't even there on Jan. 16. Even the claim that they were phoned on Jan. 16 is hardly of much consequence since Jan. 15 was the closing date and the deal had been completed at that time. There is something desperately wrong with the way in which the process takes place within Ontario Housing Corp. There has to be another way. We can't go through this again and again.

Hon. Mr. Irvine: We'll have this assurance for the member. The family will receive a letter fully explaining where they went wrong, in our opinion—

Mr. Deans: Yes, where they went wrong—

Hon. Mr. Irvine: —and where we think we fulfilled every obligation on our part.

Mr. Deans: Is the minister saying to me that he doesn't believe that Ontario Housing Corp. erred in any way?

Hon. Mr. Irvine: At this present time, I would say we haven't erred, yes.

Mr. Deans: OHC hasn't erred?

Hon. Mr. Irvine: That's what I said. That's my information at this time. I think the member's people have erred on the side of not understanding what the lottery was all about and taking action into their own hands.

Mr. Deans: I'm prepared to concede that they misunderstood and that they took things for granted; but I'm not prepared to concede that when Ontario Housing Corp. doesn't recognize that two weeks after a closing date is too damn late to correspond with people, that it hasn't made a mistake. I am not prepared to concede that when Ontario Housing Corp. gets a communication which

shows clearly on the face of it that the people are about to move and are asking for guidance and refuses to respond to it immediately, that it hasn't made a mistake. I'm not prepared to concede that the whole process, from day one when they first put their name in, shouldn't be cleaned up to ensure that people can't get into this mess.

The very first thing that should be checked in this lottery, is that when their name is drawn their eligibility should be checked out. My understanding, right from the very beginning, when I first started raising it in October, was that the one thing that would be done beyond all other things was that the eligibility of all of the people would be checked scrupulously.

Now I didn't realize that it meant it would be checked after they moved in. I thought it meant it would be checked prior to any action on their part or any financial undertaking.

I've got to tell the minister that in this case that wasn't so. Now he thinks that is the way to do business, then he can answer to the people of Ontario. I don't, and I'm prepared to make the case on those grounds alone.

When someone applies for something here—and it is entirely possible, since day after day people apply for things and they ultimately turn out not to be eligible—the ministry doesn't wait until they have committed themselves and until everything is completed before it tells them of their status. It checks their eligibility before it allows them to go that far.

That's where I think the error was made. I think they should have been told in December or in November that they weren't eligible, if that was the case. They weren't told until Jan. 27, which was 12 days after they had closed the deal and some 10 days after they had moved in.

The minister can defend it if he likes. I just happen to think that is not the way to do business. If it were the minister they were dealing with, I don't think he would be satisfied with that either.

Hon. Mr. Irvine: I am satisfied they signed a false document.

Mr. Deans: Now that's the problem there. I wish the minister hadn't said that. Those people did not sign a false document. It said to the best of their knowledge.

Hon. Mr. Irvine: Fair enough.

Mr. Deans: They signed that they believed that the requirements on the face of the document were being fulfilled.

I don't think the minister understands the way people's income works. Let him walk around and ask his colleagues, any of them who work for a living, other than the ones who just hang around here, if they could tell him, at a moment's notice, what their income is.

They had to sign that document, by the way, very early in the going. They didn't know exactly what their income was, but their best guess was that it would be less than $17,000. The first statement by their employer was, in fact, slightly over $17,000, wasn't it?

It's easy to understand that they might not have recognized it. The employer obviously didn't even understand it either.

The minister makes it sound as if somehow or other they tried to hoodwink him. They didn't try to hoodwink him—they filed honestly. They said they believed they were earning less than $17,000; and I think they thought they were earning less than $17,000.

I don't think there are many people working in a factory or working in an office who could tell you exactly how much their earnings are, unless they are on an annual salary and it hasn't been changed.

As I say to the minister, he must bear in mind that if a man works in a plant of some kind, all he has to do is work one weekend at double time and a half and he could be $500 over. That's what we are talking about. We are talking about somebody working overtime during the course of a week and working a full weekend on a holiday weekend at some point during the 12-month period and not remembering it. I can tell the minister there are a lot of people who would be in that position.

I just think the Ontario Housing Corp. has an obligation to try to be much more careful and to ensure that the people's eligibility is the very first thing that is checked, rather than waiting until the people have been allowed to sign.

I want to get something clear. Just what authority does the builder have?

Hon. Mr. Irvine: In what way?

Mr. Deans: In terms of acting to complete a deal. I mean, does every single person who applied and had his name drawn have to wait for a communication from Ontario Housing Corp. to inform them—

Hon. Mr. Irvine: No.

Mr. Deans: They don't?

Hon. Mr. Irvine: The builder is advised.

Mr. Deans: The builder wasn't advised in this case.

Hon. Mr. Irvine: Is the member sure?

Mr. Deans: I am positive.

Hon. Mr. Irvine: We think otherwise.

Mr. Deans: Is the minister telling me the builder was to blame? Because I haven't got that information. But if the minister is saying to me that the builder was advised, what he is telling me is that people don't receive communications from Ontario Housing Corp.; and that's what I thought.

When I said to the minister that the builder should have been advised, that's how I thought it might have been handled. But in this instance, if the builder was advised and he allowed those people to take the deal on, then it is with him that they have a cause.

Can the minister produce for me some communication with the builder back to Jan. 15?

Hon. Mr. Irvine: I am going to produce the full statement on it.

Mr. Deans: No, but can the minister produce—

Hon. Mr. Irvine: It will go to the Hamilton Spectator and it will get into the hands of the people the member is concerned about.

Mr. Deans: Yes, but would the minister just do me a favour and recognize they are not quibbling about whether they were eligible or not, okay? Can he produce for me a statement from Ontario Housing Corp. to the builder prior to Jan. 15, to show that the builder should not have proceeded with the deal?

Hon. Mr. Irvine: Maybe not a letter, but maybe a phone call.

Mr. Deans: Maybe a phone call.

Hon. Mr. Irvine: Yes. I think the member will find out those people were advised.

Mr. Deans: I know that the people were not advised. I am telling the minister they were not advised. But beyond that, I say to the minister a phone call—

Hon. Mr. Irvine: All right. They wrote on the 10th, we got it on the 14th.

Mr. Deans: Okay.

Hon. Mr. Irvine: A registered letter.

Mr. Deans: A registered letter, special delivery, and asking in the letter—

Hon. Mr. Irvine: Four days later?

Mr. Deans: It was a Friday, the 10th.

Hon. Mr. Irvine: Why would they send it on a Friday?

Mr. Deans: Because that was the first day they had the documents. They were only asked from them that week. They went right to their employer. The documents went from each employer—they sent them in immediately; immediately on the 10th. That's when they were asked for them.

I don't think that whoever is advising the minister is really telling him the truth, I really don't. I don't know why they are not doing it, unless they have just simply made some slip-up of their own and they don't want to admit to it.

Mr. Speaker: While the hon. member is looking for his notes, may I draw the attention of the House and the hon. members to the fact that the hon. member is being a little repetitious. This really isn't an estimates debate, we should stick more to the budget.

Mr. Deans: This is a budgetary debate. I want to tell you—

Mr. Speaker: It is the budget debate and not the estimates debate.

Mr. Deans: I am not talking about the estimates. I mean I haven't said a word about his estimates. I am raising before this House a complaint of a constituent of mine, and I am doing it in the budget debate.

Mr. J. Dukszta (Parkdale): On a purely conceptual basis.

Mr. Deans: No, not only on a purely conceptual basis. While he is breathing, I'll take a look through this. I don't see it.

Mr. F. Laughren (Nickel Belt): Who's breathing over there?

Mr. Deans: I just want to tell you, Mr. Speaker, that even I would like to see some proof of a communication from Ontario Housing Corp. either to the builder or to those people, prior to the closing date. If that closing date shouldn't have been followed through with, then there should be a communication from Ontario Housing Corp. to the builder not to close on the 15th, because as the

minister says, unless there is a problem, Ontario Housing Corp. doesn't communicate with the applicants. Those are his own words.

In this instance they assumed, because there was no communication, that things went according to the practices of the Ontario Housing Corp., if not according to the letter of the draft of the law that was before them.

I leave it at that. I am not going to argue any further with the minister about it because I know it is not going to win anything, but I just happen to think that Ontario Housing Corp. has to bear some of the responsibility for the mess these people are in.

Mr. Speaker, there isn't a quorum.

Clerk of the House: Mr. Speaker, I see there is not a quorum present.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: We now have a quorum. Will the hon. member for Wentworth continue please?

Mr. Deans: Thank you, very much.

I want now to turn to another topic that's causing me some concern. It is an incident on a picket line at the International Harvester plant in Burlington, in the riding of the Solicitor General (Mr. Kerr), and I want to begin by saying something to the Solicitor General.

Mr. Speaker, when someone calls him up and asks for his assistance with regard to an incident on a picket line, I would appreciate very much if, in answering, he didn't cite as the No. 1 problem confronting these people the fact that they contacted me.

Hon. G. A. Kerr (Solicitor General): Would I say that?

Mr. Deans: Oh, yes.

Hon. Mr. Kerr: Oh, well.

Mr. Deans: In fact, what happened was the lady called up because her husband was seriously injured—and I'm going to talk about the injury in a moment. When she spoke to the Solicitor General and asked, since he is the Solicitor General—

Hon. Mr. Kerr: After she got me.

Mr. Deans: —that he might inquire into the actions of the police in that instance, he said to her: "You made a number of mistakes, and the first one was calling Ian Deans."

Hon. Mr. Kerr: Always call your member first.

Mr. Deans: Right. I'm going to tell you, Mr. Speaker, that she had been trying to get in touch with the Solicitor General, and had called me out of desperation. The information I gave her was that in fact it was a responsibility of the Solicitor General, both in his capacity as the member for the riding and in his capacity as Solcitor General, to take a serious look at the incident that occurred and to determine whether or not there should be an investigation.

Well let's you and I, Mr. Speaker, talk about it and see if you and I can agree on whether there should be an investigation or not, okay? I want to read to you a letter from the president of the union involved; okay?

Dear Sir:

I am contacting you in relation to an incident that took place Nov. 5, 1974, at approximately 10:00 a.m. The events preceding the incident were in the presence of approximately 30 to 40 uniformed and plainclothes policemen who were called by International Harvester Co. to assist the ingress and egress of non-union transport trailers to the strikebound International Harvester distribution centre in Burlington, Ont. This alone seemed a little excessive as only six to 10 pickets were present at the time. The end result was some extreme overreaction by the police officers present.

Mr. Balaz, 53 years of age, was injured by the police during this overreaction. Mr. Balaz asked for medical attention for approximately 20 minutes, and was repeatedly ignored by the police officers. One sergeant—

And I won't name him.

Hon. Mr. Kerr: By the way, Mr. Speaker, could I interrupt for a moment? Has the member contacted the police about this?

Mr. Deans: Yes.

Hon. Mr. Kerr: The member has their version of the story?

Mr. Deans: I'm coming to it. I did contact the police. One officer was overheard saying that the man was only play acting.

It was only after extreme persuasion by some of the picketers that he was finally taken to the hospital. It was plainly evident by Mr. Balaz's appearance that he was suffering pain and discomfort. Hospital tests showed that he had a bruised lung, and the lengthy delay in getting Mr. Balaz medical attention was unwarranted and unforgivable.

In all fairness I will admit the conduct of many of the police officers has been commendable, with the exception of only a few. By the same token, the Mr. Balaz incident should not go unchallenged, as perhaps next time because of negligence by a few to get immediate medical help, more serious consequences may result.

It's also unfortunate that—

Well I won't go into that because it's a matter of opinion and I don't like to read opinion into the record.

I sent this letter to the chief of police in Burlington on Dec. 4:

Dear Chief Skerrit:

I am enclosing a reproduction in part of a letter which I recently received. Certain names in the letter I thought it advisable to exclude. I would appreciate knowing what the investigation conducted by the police revealed.

With best wishes.

Signed by me.

I left out the name of the officer whose name was used, and I also left out the names of the people who signed the letter. But I have both of those on file if the Solicitor General believes that it's necessary to take another look at it.

I received then a reply. And the reply was Dec. 11, 1974, to me:

Dear Sir:

I have endeavoured to answer your letter of inquiry by answering the letter of complaint in the sequence the questions were asked. [It is a good start.]

As you have indicated, 30 to 40 uniformed and plainclothes policement does seem excessive when only six to 10 pickets were present. However, at the time the commercial motor vehicles arrived at the Harvester plant there were only 13 policemen present, under the supervision of a staff inspector. The additional officers did not arrive at the scene until the commercial vehicles were ready to leave. The total number of policemen at the scene, but not on foot [I don't know what significance that has] was 28.

Our estimation of the number of strikers at the beginning of this incident was 15. However, it was difficult to be accurate because they were arriving by motor vehicle during the time of this occurrence. We had also received information from other union personnel in the area that they were going to support the strike, and on one occasion this did happen. [But not on this occasion, I might interject.]

I did not quite understand what it means, "in over-reaction in this case," because our acts are dictated by observance. When one of the commercial motor vehicles entered the plant, a striker took a stone from his pocket and, in throwing same, smashed a window on the driver's side. Mr. Balaz was also seen to throw something at one of the commercial motor vehicles. It was because of this he was removed from the scene.

I want to stop there to point out that it was not Mr. Balaz who threw the stone through the window, nor was that suggested. Okay?

Hon. Mr. Kerr: How does the member know that?

Mr. Deans: Because it says so. One of the strikers was seen to throw something through the window; Mr. Balaz was seen to throw something in the direction of the vehicle. Those were two separate incidents and I want to make that clear.

Perhaps I should start from the beginning to explain in particular the conduct of Mr. Balaz. He was seen to drive to the entrance of the strike-bound plant and park his motor vehicle across the driveway. After much persuasion he moved his motor vehicle. His wife has since said that his motor vehicle would not start. As I mentioned before, above, Mr. Balaz was observed throwing an object at a commercial motor vehicle and for this reason he was removed from the scene.

While being escorted to the cruiser he broke free and ran. If you are familiar with the area you will have observed the steep grass bank between the loading dock and the Guelph Line. This grass bank was very slippery from the recent rain and because of the poor footing it was in this area where the two officers and Mr. Balaz fell. When the three men gained their footing, Mr. Balaz was laughing and seemed to be in a jovial mood. At no point did he complain of an injury. Mr. Balaz was placed in the cruiser on the west side of the Guelph Line, and when next contacted by a member of our force, he complained that he was injured and he was taken to the hospital. [It is incredible really.]

The doctor's verbal report was to the effect that the injury could have been caused by this man's age, his weight and the fall. I have information from other police personnel that our officers did not

fall on Mr. Balaz. I take exception to the complainant stating that collusion exists—

Well, I left that out of the first and I will leave it out of this one.

Let me read another letter, dated Jan. 28. It is addressed to me and to the chief of police. I am going to leave the names out again, because I don't think it appropriate to use them. It says:

Re Michael Balaz:

I [Mr. X] was present the day the above-mentioned incident took place. I am under the impression that the main issue in this case is the fact that the police were lax in taking this man, Michael Balaz, to hospital [an incident which was mentioned to me ever so slightly in Chief Skerrit's letter].

When I arrived at the Harvester receiving area there were, I believe, three trucks there. As I was walking toward the trucks two policemen came my way dragging Michael Balaz between them. I watched until they reached the truck entrance and the Guelph Line, then I turned back to the trucks. The next time I saw Michael Balaz after that was after the trucks had left and the police had started to walk back across the Guelph line. [He mentions another gentleman and himself] being members of the strike committee, went to the school grounds across from the Harvester to see what we could do.

When we got there Michael Balaz was sitting in the back of the police car complaining of severe pains in his chest and asking to be taken to hospital. I noticed ground-in dirt and grass above his left eye, which seemed odd for just a fall. This other gentlemen and I tried to talk to the police to get them to call an ambulance to take Mr. Balaz to hospital. During this time I overheard [he names one of the police officers] say to have him put in the wagon and also say: "He is only play-acting." We kept requesting that he be taken to hospital.

The police got Mr. Balaz out of the cruiser with much difficulty and proceeded to put him in the wagon. He could not get his feet in because of the pain, but was helped in by the officers. We volunteered to take him to the hospital ourselves, and they were about to let us, until finally two police officers stepped forward and said they would take him there. I would estimate that the time it took to get Mr. Balaz taken to hospital from the time he was taken across the road was 35 minutes.

We followed the police, who once again demonstrated their lax attitude by the route which they took and the speed at which they travelled. At the hospital the police went into the area where he was to be looked at but we were not allowed to. The volunteer at the desk told us that the police were not supposed to go in either.

One officer was then called to the phone for about 10 minutes. When he came out he told us there would be no charges and that we were to take care of getting Mr. Balaz home, and the police left.

There were enough police in the schoolyard that a driver and a man could have been spared. As far as I'm concerned, the police were out of their jurisdiction in acting as doctors in deciding that Michael Balaz didn't need medical attention. If Mr. Balaz had had a heart attack he would have died during the lax police effort on his behalf.

The latter part of the statement can be substantiated by another member whose name they have given

Mr. Balaz's wife, on his behalf, tells the story this way: "Yes, they did come." First of all:

Yes, he did stall his car in the driveway and the police gathered around, a number of them, and harassed him into moving it. He told them he couldn't get it to start. One of the police even tried to start it. It wouldn't start. They finally did get it going and he moved it. He then went from there to the picket line.

He did not throw an object at the vehicle but rather flicked with his thumb something he had been standing holding in his hand. [Like this, as people do from time to time.] It did no damage. He's not even sure if it got as far as the vehicle. It was some distance away. The police came and informed him that they were arresting him. He asked why, and they took him and roughly dragged him across. He fell.

One of the police officers, either accidentally or purposely, [I'll choose accidentally, okay?] fell on top of him. His knee struck him when he fell [by accident we will presume]. Mr. Balaz was then taken from that point and put in the cruiser. He asked if he could please be taken to the hospital, he was in severe pain. They refused. It was only after the two strikers came by that they even considered taking him, and they finally did take him.

That man could have died. He could have been haemorrhaging; he could have had a heart attack; there could have been any number of things wrong. I suggest to you, Mr. Speaker, that under the circumstances it was unnecessary for the police to conduct themselves in the way that they did.

I understand there has been a lot of hard feelings at the International Harvester plant. I understand it hasn't been the most pleasant strike—some of that brought on by the company, I might say. I understand there's been a great deal of frustration. It takes a very highly trained and sensitive police force to deal with those kinds of human problems. It's very difficult for people, given under the law that they are permitted to go on strike, to then stand by and watch while other people are brought in to take their jobs, again, under the law.

There have been many incidents across the Province of Ontario where people have been faced with having to try to bring to other people's attention that it would not be in their best interests—theirs or the others' best interests—to take over a job that belonged to them ostensibly and for which they were on strike as a result of the law permitting them to do so.

I think the law's an ass, frankly. I don't see how you can have a legal strike and at the same time permit somebody to come in and take another man's job. But nevertheless, I think if police forces are going to take it upon themselves to try to protect companies, then they're going to have to train their police officers to do it with compassion and understanding, realizing that many people who never in their entire lives have broken a law, are very emotionally charged around the situation that has arisen—the conflict that has arisen—between themselves and their employer. It requires a great deal of sensitivity and understanding to be able to deal with those. It doesn't require the vice squad, or it doesn't require the heavy artillery.

In Hamilton we have some very good people. The deputy chief, Albert Welch, is as good an example of a man who has the capacity to understand the human emotions involved as any I can think of. They could learn in Burlington from Deputy Chief Welch and the way in which he handles these kinds of situations.

The one thing you can't do, in what is ostensibly a private dispute, is abuse citizens, Mr. Speaker, If they've broken a law arrest them. But recognize that you are dealing with a private dispute. As long as that private dispute doesn't get out of hand you deal with those people as you would any other private citizen on the street.

I'm asking the Solicitor General for an inquiry into this incident. I want an inquiry because I want all of the information that is available to be put before the chief of police and before the police commissioners of Halton. I think it's important—not because I want to see any retribution, not because I want to see any action taken against the police officers involved, who may have done their duty as they saw it, but because I want them to understand that as there is commercial and industrial growth taking place they are going to have to train their officers in the way in which to handle these kinds of delicate situations.

They should be taught that they are not dealing with a criminal in these cases—they are not hunting down someone who just finished raping somebody, or who has been shooting up the town. They are dealing with a private citizen in a dispute which he is legally entitled to be in and he must be handled with respect. If the strikers break the law they should be arrested as any other person is. But we can't allow this kind of abuse.

I may say through you, Mr. Speaker, to the Solicitor General, that man was obviously very badly hurt. He was in the hospital and is still under a doctor's care to this very day. He could not have returned to work. I've fallen, as you have fallen, Mr. Speaker, and his doctor doesn't believe that his injuries could have occurred simply as the result of a fall. He believes that he was struck with an object. He thinks it could have happened as a result of a blow from a knee, accidentally, or an elbow, accidentally, but he doesn't think it happened just because he happened to slip and fall.

I think as the member for the area, but more important as the Solicitor General, if the member for Halton West would require either of the police commissions—or perhaps it's gone too far now. I had originally thought that we might ask the local police commission to take a look at it. It may have gone beyond that point now. I think all of the prejudices and views are already established. I may be wrong but I think perhaps I am right.

I'm going to ask the Solicitor General if he would have the Ontario Police Commission investigate that incident. It's in the best interest of that police force to have it cleared up, and it's in the best interest of the people in the area; they have to have confidence in

those police. If the police did something wrong they have to face up to it. If there was a mistake made they have to face up to it. If the accident was inadvertent—if it was in fact an accident—then a simple apology probably would have sufficed.

But I think that we've got to look into it to be sure, because I wouldn't want to think that sometime in the next year or two there could be another similar situation where the same kind of thing could occur again. There is sufficient evidence to justify an inquiry and I think a sufficient number of people are prepared to come forward and give their views. There should be some kind of opportunity for that to be done before an impartial body.

I don't doubt for a moment that the police officers are telling it as they saw it. I don't doubt that the chief of police, in writing to me, is telling what he believes to be true. I don't for one moment question that the people who wrote me the two letters, who were at the scene of the incident, believe that what's in their letters is true. The only thing is that there's something different between the two. I would like to see that cleared up and I would appreciate it very much if you would take whatever steps are necessary to have that done. I think it's in your best interests and their best interests to do it that way.

Mr. Deans: The Solicitor General can go now, I'm finished with him.

Hon. Mr. Kerr: They will ring the bells.

Mr. Deans: I do appreciate the minister coming in to hear it because I couldn't have written it to him the way I could tell it. It's very difficult to get into words exactly what I felt about it and I wondered a number of times how to do it.

I want to raise with you, Mr. Speaker, another matter that has been of some considerable concern to me. I seem to have a lot of matters of concern these days. I don't know what it is. It seems to me the incompetence of this government is bringing upon me all these difficulties but, nevertheless, I'll have a look at another thing.

You will recall, sir, in December—perhaps it was late November—I was speaking in this House about something called the Nanticoke to Hamilton transportation and utility corridor. A few things have happened since the month of November and I want to bring you up to date because I know at the time you expressed an interest in being kept informed. So I am going to do that now.

We held some meetings in Hamilton in December regarding that particular corridor. I put forward a number of views at that time which I placed before the Minister of Transportation and Communications (Mr. Rhodes), asking him if he didn't really think the process that had been followed wasn't very realistic.

They proposed that one of two routes in the eastend of the city be followed. They actually proposed three routes but one they seemed to discard immediately and they actually seemed to be moving more towards one of two, either a route down Redhill Creek or a route down Highway 20.

I can remember the horror on your face, Mr. Speaker, when I mentioned the possibility of taking the route down Highway 20. Both of us travel that area extensively and we both know the volume of traffic that is on Highway 20, the way in which it has been allowed to develop commercially, the fact that it goes right through the town of Stoney Creek and the fact that the intersection of Highway 20 and King St. and the intersection of Highway 20 and Highway 8 are without question two of the most hazardous intersections in the region. In fact, the intersection of King St. and Highway 20, if I may say so, has caused me as many problems as any other intersection I can think of. I can remember making representation to the then Minister of Highways with regard to slowing down the traffic, and with regard to signing it in order that drivers would be made aware of the hazards as they came down the hill towards the intersection.

I can remember making representation to a government body in the town hall in Stoney Creek some years ago, trying to get them to understand that that particular intersection was of such a hazardous nature that some action had to be taken to alleviate the traffic on it. We met with some success, I might say. We did, in fact, have the speed limit reduced. We did have signs placed at the top indicating the steep grade, the fact that speed would kill and the fact that there was a hazardous corner at the bottom. I bring to your attention, Mr. Speaker, that it is a corner that has cost two or three lives in the not too distant past.

I've got to tell you that I was flabbergasted to read in the paper the other day that the board of control of the city of Hamilton was recommending that the Highway 20 route be the one that be adopted by the planning study that is currently looking at the tie-in between Nanticoke and Hamilton. I just couldn't believe that any

individual who lives in the area who knows the route could for one minute consider that that would be a suitable place for a major highway at this point in time.

It might well have been that 20 years ago, before the development was allowed to take place, we could have expanded the highway. We could have taken steps to provide sufficient width to enlarge it. But in this day I don't see how any individual who knows the area at all could even consider turning that into an even busier highway than it currently is. In fact, I can remember speaking in this House about the need to develop an alternative route to Highway 20 and trying to do away with it as a major highway in Ontario.

And do you know what really amused me, Mr. Speaker? One of the controllers, Controller Campbell, in dealing with the matter said it would be better to use Highway 20 because it has been a highway for as long as he can remember. Now that's a very compelling argument, I must say. Why not use Highway 6? It was there before 20, if one is to believe that they were given out in numerical order.

It runs right through the middle of the city of Hamilton. No one in his right mind would suggest that because Highway 6 had been there before Highway 20, it was a better alternative. And yet that's the kind of illogical logic that the council of the city of Hamilton has to rely on for guidance. That's the kind of position that is put forward by a senior controller with regard to the development of an access to the east end of the city.

I want to make a plea through you, sir, to the Minister of Transportation and Communications, and the plea is this: Don't ever consider expanding Highway 20. Even at the very best it could be only a short-term proposition, not capable of handling the kind of traffic that will be generated by the development of Nanticoke, and the need for the flow back-and-forth between Hamilton and these new developments. If we are serious about providing this corridor from Nanticoke to Hamilton, let's now try to develop an alternative route somewhat east of the town of Stoney Creek so that we don't end up with a major highway running through the middle of the most densely populated area of the city.

I want to remind you that at the corner of Barton St. and Highway 20 in Hamilton there is a development which is by far the most densely populated single block in the whole city. The apartment buildings that were allowed to develop there, I suppose by virtue of this same board of control, or their friends, have brought about a condition of overcrowding. And then they are talking about running a highway practically through the middle of it. The whole suggestion is preposterous and ludicrous.

And I want to urge you, sir, as the representative of the members of this assembly, to make representation to the Minister of Transportation and Communications on our behalf, because it is not in the best interest of the people of the province. And you, after all, represent me. I think you do, and I need your help.

Mr. Speaker: I would be glad to referee.

Mr. Deans: Thank you. The next time you go to Hamilton, take another look at that. We have the largest single shopping mall in the Peninsula area—built there by Cadillac Developments. We have 50 new commercial enterprises. We have every single new housing subdivision in that immediate area on either side of the highway. And for any person to suggest that that would be a suitable place to build a new superhighway, they have got to be out of their mind.

Of course, that doesn't surprise me. I have wondered a little bit about some of the people who make these suggestions for years. I wonder whether some of them would like to try driving up ond down there in the morning. Or maybe try to get across the King St. intersection when the dump trucks are barrelling down there at 50 miles an hour and can't stop. All one need do is ask MacLeod of MacLeod Motors—a good friend of the Conservative Party, I might say; you could ask him without even embarrassing him. Ask him what he thinks of developing that superhighway down there and he'll tell you that they live in terror on that corner—just waiting for the day when the next school bus or dump truck will pile into the front of their new-and-used-car business. I urge you to take that up on my behalf because I need your help, Mr. Speaker. I also want to say, before I leave that, that I still feel that it would be unwise for us to consider doing away with the Gorge and the Redhill Creek passive recreational area. There are very few cities in Ontario that can boast of a recreational area of that magnitude and beauty within their confines. While I am the first to concede that not every citizen of the area takes advantage of it, I personally do and my family does. It will no doubt be in greater demand as years go by and the total area expands with more and more residential development.

To have a recreational facility of this type right within the city available to all of the people—within a bus ride of everyone, almost within walking distance of half of the community—then to consider making it into a highway, that is really pretty difficult for me to understand.

I can appreciate it, of course. The studies are clear that it would be cheaper to build it down Redhill Creek. But cheaper in what terms? Cheaper by what calculation? It would be cheaper in dollars today to destroy the Redhill Creek area and to build a highway. But what would it cost to replace it and where would we go to try and find another place? How would we replace it? I think it's pretty obvious that it's one of these irreplaceable natural resources, and we can't afford to have it destroyed simply because the cost today might be a little less than some alternative.

I want to suggest to the minister if I can, that if the region and the government are really interested in developing a peripheral route around the city of Hamilton, tying in Highway 403 at the west end with the Queen Elizabeth Way on the east end, some reasonable and logical discussion could take place between the council of the region, the council of the town of Stoney Creek and other interested persons, with regard to a subgrade highway out in some parts of the less developed township area. It could be done in such a way as to ensure a minimum of disruption at the lowest possible cost. It wouldn't take anything like the potential recreational or farm properties that the government has permitted to be taken over the years without any outcry.

Although providing a longer route for a great many people, it would likely be a speedier route and a much more acceptable alternative. Over the long haul, it would prove to be cheaper. The decision would probably prove to have been arrived at with foresight, which is something we don't seem to have had very much of in the past.

It is easy to be critical of things that went on in years gone by, and it's easy to criticize people for not having had enough foresight. I think in this instance we have the benefit of the knowledge that we can't replace what they are planning to take away. We can't use what is already there because no foresight was used and, therefore, we have to develop something new. If it causes us to drive a little further, so be it, because the time made up will no doubt be made up by the saving in the long haul.

I also want to turn my thoughts for a moment to a discussion which took place in my absence. I had long ago planned to be away—

Mr. Dukszta: Because the member was away.

Mr. Deans: Thank you. I had long ago planned to be away during the week commencing Jan. 25. I had bought and paid for a trip. It was of one week's duration. I thought at the time—this was at August last—that the very safest possible week to take my vacation would be the last week in January, I went ahead, only to find that because of the incompetence and bungling of the government House leader, we had to come back. Well, that's not unusual. I should have recognized that would occur, but that's okay.

Anyhow, I was away when the members talked about the redistribution and while I realize it's not perhaps right on the budget, it's close, and so I want to raise a couple of matters about it.

My colleague from Wentworth North (Mr. Ewen) made some remarks about the second report of the redistribution commission. He made a very eloquent plea that they had made a mistake; that in taking the town of Grimsby out of the riding of Wentworth, as had been proposed in the first report of the redistribution commission, they had failed to remember to put back in a portion of Hamilton Mountain, south of Mohawk, west of James, which had heretofore been a part of the Wentworth riding.

I don't want to shatter his dream, but the fact of the matter is they didn't forget it. The fact of the matter is that given the tremendous natural growth in the area east of James and south of Mohawk, and given the rather rapid growth in the town of Stoney Creek, and in particular in that area which is serviced now by Ontario Housing and which is going to become a major satellite development on Saltfleet Mountain, which I've spoken about previously and which has been on the record and on the books for some seven years or more—that's now proceeding. And given that 80 per cent of all of the Ontario Housing Corp.'s new development in Hamilton is taking place in the locations east of James St., it wouldn't be possible to put that area back into the riding of Wentworth without creating a severe imbalance.

My colleague from Wentworth North—I can understand; I mean I was really upset when I heard—

Mr. J. E. Stokes (Thunder Bay): Not the member for Wentworth?

Mr. Deans: When I heard that they were taking those very fine people on the west mountain out of my constituency, I was upset about it, I'll tell you, Mr. Speaker. I went home and I said to my wife, "Do you know what they're doing? They're taking all these very fine people in the west mountain out of my constituency."

I can understand that when the member for Wentworth North asked them if they would rather be in Wentworth North with him or in Wentworth with me, that out of 100, 99 per cent would rather be in Wentworth with me. I can understand that. I mean, he didn't have to conduct a survey, I could have told him that. But that's not the criterion for the determination of fairness in the electoral boundaries. I mean, I can tell him that there are people in Rockton who'd rather be in Wentworth with me, and that's in the heart of his riding. But that's neither here nor there. So, that argument is really not of much consequence.

I'm looking for the redistribution book, by the way. I seem to have left it upstairs. Okay, well, I'll have to go without it.

My recollection is that he was talking about that area having around – oh, maybe 15,000 people in it. Now, my riding at the moment would be, based on the 1971 census, 7,000 to 8,000 persons smaller than his. That means, given the natural growth which has taken place in the east end of the city, in Stoney Creek, on the mountain and on the Hamilton Mountain, that instead of the approximately 60,000 I am reported to have, at this point in time I probably have around 74,000 by today's calculations, rather than by the figures of the 1971 census.

If you took those 15,000 or so people and put them in Wentworth, Mr. Speaker, that would raise me up to 90,000. Now my colleague from Wentworth North, since little growth has taken place in his constituency, may have another 5,000 people in total in his. If you were to deduct the 15,000 from his and put them into mine, and if you were to add 5,000 for the natural growth of the Wentworth North riding, and if you were to add 10,000 for the natural growth of the Wentworth riding, I would end up with 90,000 and he would end up with 70,000, give or take a few thousand one way or the other.

I think you would agree with me, Mr. Speaker, that would be an imbalance which couldn't possibly be tolerated by the redistribution commission. But I am going to say something to you, I appreciate that those people have a community of interest with the people on the Hamilton Mountain in my part of the riding, and I think we have to try to find a way to accommodate that, while at the same time making sure that we don't create such an imbalance in the population that one riding is 20,000 or 30,000 smaller than the other, and that would be the case.

What I am going to suggest is one of three things: First of all, it would be possible, I think, for the member for Wentworth North to acquire as part of his constituency the area known as Glanbrook. It is a rural area—substantially rural with strip development—compatible with much of what he has within his riding now. While it would add a number of miles in distance to his total, it would not be unacceptable, I think; it wouldn't be unworkable or unserviceable, and if we were to assume that there were 10,000 people there, which is fair to assume, then I wouldn't quibble about taking back that section of the Hamilton Mountain.

If the redistribution commission saw fit to take the Glanbrook area and put it in with Ancaster and Dundas and the other parts of the Wentworth North riding, though I wouldn't want to lose the people—in fact they vote for me anyway; they support me very strongly—I would still be prepared to concede, in the interest of fair redistribution, that they could consider that, and I will take back all of those nice people in the west mountain and continue to look after their interests, since they obviously relayed the message to the member for Wentworth North that that would be their wish.

Failing that, I would like to suggest that maybe we should take a look at all three ridings—Hamilton Mountain, Wentworth and Wentworth North—and we should find an equitable way of distributing the population of all three ridings so that they all ended up with approximately the same population, but allowing just ever so slightly for the unusual growth which will be taking place in the Wentworth riding, and to some extent lesser growth in the Wentworth North riding.

So I think that maybe the redistribution commission, given that they didn't accept my first suggestion, might accept that they should redistribute again in those three ridings, taking some from Hamilton Mountain, some from Wentworth, if not quite as much as they did before – maybe part of the rural community, although I am a little reluctant to see that happen—and putting that into Wentworth North, and allowing that the

Wentworth riding would remain on a comparative basis, given that they have a great deal of expansion taking place, and that the Hamilton Mountain riding would be somewhat reduced in size. It could stand being reduced in size anyway, because it is a fairly densely populated riding in any event.

The third suggestion I would make is that the redistribution commission take all six of the ridings and attempt to redistribute them again; that they recognize that all of the growth in the city of Hamilton, in fact almost all of the growth in the region, is taking place south of Mohawk, east of Ancaster, and that while there will no doubt be growth take place in the Ancaster area at some time in the future it is not immediate. So they could take a position which would redistribute all six ridings and create another constituency. There is room and there is sufficient population. It may require the constituency to have rather unusual boundaries, but nevertheless, if representation by population is to be the main criterion then I don't think that that should be of any difficulty and I would be delighted to give them the benefit of my views as to how it might be done.

I know the member for Wentworth North will be pleased to get my comments on it. I know he has been eager to know what I thought of what he said. I don't resort to obscenities, so therefore I didn't tell him.

I do think that he may have got carried away just a wee bit and I don't think he quite understood what he was proposing would actually accomplish. It would result in a riding in Wentworth of a size that would be unmanageable before the next electoral period was over within the next four years and, no doubt, that riding would be 120,000 or 130,000 persons. It's much too large. We simply just can't do it exactly as he said, but I think there must be a way to accommodate his desires and also accommodate the needs of the people in terms of getting reasonable representation on a representation by population basis.

I now want to speak for a moment or two about nursing homes. You will recall, Mr. Speaker, just prior to Christmas I raised with the Minister of Health (Mr. Miller) some objections and concerns which had been expressed by an alderman in the city of Hamilton, Ald. Valeriano. I asked the Ministry of Health if they would investigate the complaints, if they would determine the validity of them and if they would take whatever action they deemed appropriate to correct them.

I want to say something about Ald. Valeriano, first, because I think it's important that I put it on the record. Ald. Valeriano, by virtue of the criticisms that he levelled, has done a considerable service to the area. His interest in the conditions in nursing homes has focused both public and government attention on the nursing homes. If for no other reason than that, he is to be commended because the action that he took, quite obviously, will bring about a better nursing home structure in the Hamilton area and perhaps right across the province.

I want to say something else. I'm absolutely convinced, given the nature of the nursing home business, that it's extremely difficult to have a set of criteria for nursing homes which can be enforced in such a way as to ensure that those who have been there for many years are able to comply to the same degree as the ones that are currently being built are able to comply. Anyhow, I asked the minister for an investigation and he very kindly arranged for his colleague, the parliamentary assistant from London North (Mr. Walker) to go to Hamilton. He and I and Ms. Jones, the regional chairwoman, Councillor MacDonald, the inspector of nursing homes for Ontario and a reporter, a Mr. Oliver from the Hamilton Spectator, set out one morning early to inspect a number of nursing homes which I chose. I got those nursing homes in the following way: I called Ald. Valeriano and I asked him if he would give me a list of all of the nursing homes about which he had particularly serious complaints. I didn't tell him why I wanted it. He called me back and he gave me a list of about 12. I didn't tell anyone the names of the homes. I didn't tell the member for London North; I didn't tell the aldermen; I didn't tell the chairperson or anyone what the names were.

We met at 8:10 in the morning, I think it was. We all wore our trench coats with our hats pulled over our eyes so that no one would recognize us and we met behind the city hall. It's a good place to meet because nobody goes to the city hall that early in the morning, not the employees, not the councillors, nobody.

We met and we talked about it. I then informed them which home we would first go to. I picked four but I really didn't pick them in advance. I had the list and I said, "Let's go to that one first." I told them where it was and we went en masse. We arrived, we knocked on the door, and after a moment's hesitation, which is understandable, the person in charge allowed us in. We pro-

ceeded to inspect the premises to the best of our ability and we left. We did this in four of what I thought were representative nursing homes in Hamilton.

I regret that Ald. Valeriano didn't see fit to accompany us. I think it would have been useful for him to have seen these things himself and to have pointed out whatever problems he perceived to be there so that we could have them corrected.

I wasn't entirely happy with every home—I don't think any one was. I thought that the homes offered a wide range of services. One home in particular on the mountain offered an extremely wide range of services, though it tended to be a little clinical in its environment. But there were ample opportunities for rehabilitation, recreation, patient care, and patient observation, the diets were well handled, the mechanics of the home seemed sound, and the home itself seemed in good substantial condition. On balance, while it seemed to me a bit clinical, a bit sterile, it certainly did provide a very suitable facility for people requiring nursing home care.

Of the three other homes we visited, one of which has received a great deal of notoriety in Hamilton, I found two of them fairly good. There was that one and one other which are in old homes that have been redeveloped. They didn't have quite the procedure that the newer one had. They certainly didn't have the wide range of recreational and rehabilitational programmes because they were much smaller. The rooms probably didn't measure up to the standards as established by the Nursing Home Act if one was to take a slide rule and measure them out. Maybe the windows were a bit tiny in some instances and the candlepower of the lights may not have been quite up to snuff. But on balance they made up for those things with a very homey atmosphere, an opportunity for people to live out their years in reasonable comfort, communicating one with the other and with the staff in a very open and forthright way.

In one home we visited some people were sitting around the kitchen table chatting about the morning news. They'd just finished breakfast. The cleaning up had been done by the staff and they were sitting there in a very friendly discussion about world affairs, and that's what a nursing home should be. A nursing home should be a place where people go and live in dignity and comfort. It should not be sterile—identifiable by its box-like shape and its tiny rooms. It should be a place where people will get care, love, adequate food, attention, and be able to live in dignity and in comfort. If it doesn't quite measure up to the standards that we've established, but it provides all of those things, then I think we've got to recognize that those other things are equal in importance to some of the requirements that we might well have established as being needed for new homes.

Some of the new homes, I might say, through you, Mr. Speaker, to the parliamentary assistant, may not be able to provide the kind of care and attention and the kind of atmosphere that some of the older ones are able to provide. I did promise the member to make a report to him and I'm doing that now.

So on balance, I'm much more in favour of trying to develop a home-like atmosphere than I am in providing the most clinical, sterile environment. I think that in two cases they did that to the best of their ability. One I wasn't happy with. The more I thought about it the less happy I was—and you know which one I'm talking about. I wasn't happy about it because it dealt only with men, which of course is always a problem for me. The only thing is it looked like a run-down converted motel—I think that's the best way to describe it. I think that is what aggravated me more than anything else.

I have the assurance of the ministry officials that a great deal of work is going to be done in that home. And I'm going to tell you, Mr. Speaker, there is a great deal of work needing to be done in that home; and I would hope to be able to live long enough to see it.

But I also say that no matter what they do, it is really not the kind of place I would think we should be putting people. Unless drastic changes take place there in a very short time, I'd like to suggest that home is not a suitable place. The environment is terrible.

I had a communication though from the Rev. Sutherland, with whom the minister might be familiar. He pointed out to me that for a lot of those people there is no other place. Well that may well be true, but I think we are going to have to develop another place.

That's not a nursing home, that really isn't a nursing home. It is a sort of haven and it's not the best haven. It doesn't provide the best opportunities. I think on balance, we would be just as well off without it.

So I say to the minister that the one I am talking about—and I know he is familiar

with it from his gleeful little grin—if that isn't cleaned up pretty soon, that Ald. Valeriano's feelings about nursing homes could be borne out; because that is not a very good example of what we are trying to accomplish in Ontario.

I suggest to the minister that he ask his officials to look into that one very closely over a short period of time; make sure the renovations that are proposed are completed; and that in fact it creates an atmosphere in which people can live.

I don't think, as I review it in my mind, as I have done ever since I was there, that the atmosphere there is the kind of atmosphere I would want to put my father into. And I don't think the minister would want to put his father into it either. So I think with that in mind he should do something about it.

I think though, that on balance the people who run the nursing homes are doing the best they can in a very restricted way. I would urge the minister, wherever possible, when people do apply for the opportunity to redevelop, that they be permitted to proceed as quickly as possible with whatever redevelopment they are contemplating.

There is a tremendous need; a great backlog of people waiting to go into nursing homes. If we were to build at twice the rate we are currently building, I don't think we could meet the need in five years.

I think we have to find the wherewithal within government to meet the human needs of people. In addition to investing $100 million in Syncrude—saving Imperial Oil and others—we should make sure we put a sufficient amount of money into the provision of nursing home care.

I still think Pat Valeriano probably did the right thing on balance. We wouldn't have been there if he hadn't raised the matter; and that in itself it sufficient evidence that what he did made some sense. Okay?

Now, where was I? Oh yes!

Mr. Stokes: Meanwhile, back at the ranch.

Mr. Deans: Meanwhile back at the rents—

Mr. G. W. Walker (London North): He probably yelled wolf.

Mr. Deans: He probably yelled wolf—well okay. It wasn't exactly a full grown wolf, but there certainly were evidence of wolf cubs in the neighbourhood in one instance at least; so one out of four.

I think we could be of some help. I'm not trying to defend it. I just think we did see it ourselves and it could be changed.

I want, now, to turn briefly to rents in the Province of Ontario, before coming to the sort of major matters I want to talk about.

I'm having a bit of a running battle at the moment with Mrs. Ruth Walker. Mrs. Walker is a very nice lady. She owns and manages a number of millions of dollars worth of apartments in the Province of Ontario. Mrs. Walker, speaking as the representative of the apartment owners' association in the Hamilton area, indicated there should be some rather substantial increases in rent in Hamilton in the coming year.

I think it's time that Mrs. Walker and her friends were required to justify the rents they are charging, both to the tenants and to the community at large. I think it's time we had a complete and full understanding of the apartment business in the Province of Ontario, and make no mistake, this is a business.

I think it's also time we began to understand that the provision of accommodation in this province is in the hands of the wrong people, and that for low-income earners in this province it is virtually impossible to fight back against the rent increases which are imposed upon them. There is nothing in the law in Ontario which requires any apartment owners to justify in any way the rents they charge for accommodations they are making available.

I want to tell you, Mr. Speaker, that what we have to know about apartment buildings is far more than what it costs them to operate over the last 12 months. We are going to have to get an insight into the investment practices of the apartment owners. We are going to have to have an insight into the reinvestment and the refinancing of apartment owners. We are going to have to try to come to grips with why it is in this province that the government of the Province of Ontario is incapable of providing a sufficient number of public housing units to meet the needs of the low-income earners in the province.

What we are going to have to do is to establish once and for all that no person be required to pay more than 25 per cent of his or her income on accommodation. We are going to have to take steps to ensure there is sufficient method within the law to deal with that problem.

I have asked by way of correspondence that the government initiate an investigation into the apartment industry, and I think it has

to be done at this point in time. There is no one who can convince me that the owner of a building that is 20 years old should be charging the same kind of rent as one charges for a brand new building.

There is no one who can convince me there is only a three per cent return to the apartment owners. While I have made the suggestion to the apartment owners through Mrs. Walker that they should select at random 10 or 20 of them and allow me then to choose from within that group a sufficient number for my purposes, so that I could go ahead and take a look at the books, I haven't yet received a response; other than from Mrs. Walker herself, who says that she'd be glad to let me look at her books, but that she would want to know which accountant I was going to use.

Well okay, but looking at one set of books for one apartment owner doesn't begin to put on the record the way in which apartment owners in general are overcharging their tenants. When rents go up by $30 a month there is something drastically wrong. An increase of $30 a month per unit in a 100-unit apartment building is a substantial sum of money, far in excess of either the increase in property taxes or the increase in fuel or the increase in maintenance or the increase in any other general area of maintenance or development of the apartment.

I don't understand the government's reluctance to come to grips with apartment rents. Mrs. Walker claims that in Hamilton alone the number of apartments currently being built is so down from previous years that's the reason the rents must rise; because the supply and demand requires it. Well I want to tell you, Mr. Speaker, that the vacancy rate in Hamilton is twice the national average. I want further to tell you that the number of apartments currently being constructed in Hamilton does not vary significantly from the number constructed in any other year over the last four or five years.

I have before me a number of the reports of the city of Hamilton, from the department of buildings which issues the permits. I have gone through these reports very carefully, looking at all the permits issued from 1970 through 1974. And I assure you, Mr. Speaker, that the amount of development currently taking place—currently meaning 1974 and on into 1975—in the city of Hamilton varies very little from that which took place during any of the other years.

I am not going to put all the statistics on the record, because quite obviously that would take a considerable period of time—unless of course you want me to, Mr. Speaker; if you would like me to I would.

Mr. Speaker: I don't mind.

Mr. Deans: You don't mind? Well I will now give you a couple of examples for your own benefit.

This year 1974, there are 64 apartment buildings and row dwellings; 2,268 units. Last year, 1973, there were 29 apartment buildings, 2,042 units; there were also row dwellings, 299 units, which come to within 100 of the total number of units built in the year 1974. In 1972 there were 18 permits issued for 2,142 units and 430 row-dwelling units. In 1971, there were 2,496 units on 23 permits, with 375 row dwellings.

I think you would agree with me, Mr. Speaker, that going back through 1974, 1973, 1972 and 1971, the number of units being constructed in the city of Hamilton varies very little year-to-year. The claim by Mrs. Walker that there is such a drastic reduction in the number of apartment buildings being built and that this justifies and makes it necessary that they be entitled to charge more for the existing apartments, is wrong.

The very fact that by Statistics Canada's own information the vacancy rate in the city of Hamilton is almost twice the national average, would certainly prove to me that her claim there is pressure on the apartment owners as a result of there being a very low vacancy rate is also wrong. I have to think that Mrs. Walker is making things up to satisfy her own ends.

One need only drive through the city of Hamilton—I am sure the member for Sarnia (Mr. Bullbrook) does it very frequently—to see the numbers of apartment buildings being built. I haven't seen as many in years.

It's time the apartment owners were required to justify the rental increases they are currently placing before the people of that city, because they are determined, somehow or other, to extract from the incomes of these people far more than they can afford for accommodation. I hasten to remind you, Mr. Speaker, of what I said before, that because of the cost of accommodation alone we have had a decrease in the amount of purchasing power of many people in the community. The more a person has to tie up simply to pay for accommodation, the less that's available for him to spend on the other purchases which keep the economy going.

That is the problem; because of the increasing cost of accommodation, housing and

apartments, and because we haven't been able to keep it in check, either because the government doesn't care or doesn't know how, there is less and less expendable income available for people in the Province of Ontario to use for other purchases. They're not able to continue to buy all of these additional commodities, the production of which provides employment for so many of the people across this province.

It's evident that fewer people are purchasing automobiles. Fewer people are purchasing televisions. Fewer people are purchasing all of the other things which make up the standard of living that we're accustomed to.

As that occurs, there are cutbacks and layoffs; and as that occurs it will ultimately affect heavy industry. We're going to find that we're going to have an even greater degree of recession unless we come to grips with the problem of the apartment owners and the problems that are being brought on by the high cost of accommodation in general.

I want to say to you, Mr. Speaker, that this isn't something that's only concerning the people of Ontario. I was in Quebec recently and spoke to people there about their rent control mechanisms. While they don't work perfectly and while they do create certain imbalances, they are at least trying to take steps to help the people of Quebec meet the rising cost of accommodation. It could be that if we were to have either a standing committee or other committee of the Legislature look into the whole matter of the cost of apartments, the cost of maintaining them and the costs to the renter of the rents, we might be able to come up with a refined form of rental review with power to roll back wherever necessary.

I suggested during a debate in which the hon. member for St. George (Mrs. Campbell) took part, that we could easily set up a mechanism which would allow people to apply in the event they felt the rents which they were being charged were exorbitant. If that were to be done, I suspect, given that, in my view it would either be that the rent would be approved or disapproved but not varied, we would find apartment owners charging whatever it was they could justify much more quickly than they would charge whatever it was they thought the traffic would bear. I think that's what we're trying to accomplish.

I might point out to you too, Mr. Speaker, that the District of Columbia in the United States—I very rarely refer to the United States, by the way, it's not one of the things I do frequently in this House—the District of Columbia also has regulations and a law governing rental accommodation.

The latest edition of their rules governing rental accommodation is available to any member of the House who would like to read them. They're in my file. These were printed on Aug. 6, 1974. They've set up a number of terms and conditions which are necessary in order to ensure that rental accommodation is within the financial reach of the great majority of the citizens of the district.

I think we have an obligation to our citizens to do likewise. I think I would like, if the government would see fit to do it, to put this before such a committee and allow them to study it and attempt to come up with suitable regulations for the Province of Ontario, which would protect the consumer against unwarranted increases in the field of rentals.

We have tried this a number of times. It doesn't seem to have ever met with success. But I think that this government is in such difficulty at the moment that I don't see how they can continue to turn down their obligation to protect the consumers of the Province of Ontario. They're not doing it now in any field, and they could at least begin in the field of rental accommodation.

The whole problem in the housing field is one which we on this side of the House have been raising with the government repeatedly. All we ever get is another statement about meeting some target, a target which, even if it were to be met, would have been inadequate to begin with and which is not going to be met by the provincial government.

There were 71,520 housing units started in urban Ontario in 1974. This represents a decline of 20,691, or 29 per cent, compared with the 92,211 units started in 1973.

Surely it is easy to recognize, at this time in Ontario when housing costs have been allowed to escalate far beyond the capacity of the average income earner to meet them, that one is not going to be able to come to grips with the high cost of accommodation if one doesn't build more houses and put them on the market. This is where the crunch comes.

The government indicates on the one hand that it wants to leave it to the private sector; that it thinks the housing crisis can best be met by the private sector. Yet in fact the private sector has proved conclusively that it is incapable of meeting the needs of the average wage earners in this province with

regard to accommodation. It has proven that it is not within its capacity to build homes that will be made available to people within the range of the income which they are capable of earning.

In addition it has acknowledged, by the very fact that there has been a substantial decline, that the homes that it can build are priced far outside the range that most people can afford. That is why they cut down on the number of starts. If it were possible for them to have sold the homes at the prices they were charging, we wouldn't have had a decline of 29 per cent in the numbers of homes built in the Province of Ontario in the last year.

Yet where is the void being filled? Is it being filled by the government? Are they building additional homes at a rate that will fulfill their obligations to the community? Are they attempting to provide mortgage funding for people at a rate they can afford? Are they going out into the marketplace to try and make sure the price escalation which has taken place will be stopped? They are sitting back hoping that the pressures of the market will at some point reduce the market value.

But what does one say to the people who are forced to pay the exorbitant rates because they had to find accommodation? To the people who paid 10, 15 and 20 per cent—even 50 per cent—more than the realty was worth during this period of inflation in the real estate markets that this government permitted to occur—and in fact encouraged?

Mr. Laughren: Aided and abetted.

Mr. Deans: This is what the government is faced with. When statistics show an almost 30 per cent decline in housing starts at a time when the population is growing, at a time when there are more and more people unable to find accommodation at costs that they can afford, it is clear evidence of this government's inability to come to grips with one of the major problems of this province.

You would agree with me, Mr. Speaker, and I know the hon. member for Nickel Belt would agree with me, that housing must surely be one of the two priority matters. It is hard to decide the order of priorities, but first one must make sure that food is available at a cost that people can afford. Then one must make sure that shelter is available at a cost that people can afford. Even the most Neanderthal civilization dealt with those things. They attempted to find ways to guarantee there would be food and they attempted to find ways to guarantee there would be shelter within the capacity of their people to meet the cost. This government, in the very two areas of absolute requirement, failed to act. They failed to act, and that's the reason why one becomes critical of the attitude of the government. It's a responsibility of government, if it has no other responsibility at all, to make sure that those two basic needs are adequately met. Beyond that you can go on to health and education and to many other fields, but those are the two priority needs.

When the government talks about investing $100 million in Syncrude—bearing in mind that the Province of Alberta has just used its oil receipts to decrease the income tax of the people of Alberta, while we in the Province of Ontario are going to have to pay more in order to pay our share of $100 million—there's something wrong with the priorities of this government. When I read the paper and I see Peter Lougheed standing up, barefaced, and telling us in Ontario just two days after we have committed $100 million to his oil deal, that he's going to use the revenues—not all of them, just a portion of them—from the sale of Alberta oil to bring the personal income tax level of the people of Alberta to a point which will make it the lowest in the Dominion of Canada, and when I recognize that the Premier of Ontario (Mr. Davis) is going to come to the people of Ontario at some point—if not immediately given that there might be an election—and require that they raise additional funds to channel into Alberta, I've got to ask where the priorities lie.

I don't see us in the Province of Ontario using our mineral resources—in the same way that Lougheed has used his—to protect the people of Ontario. I don't see us getting back from the rape of the resources of Ontario, the kind of revenue that Peter Lougheed gets back for the people of Alberta.

I've got to ask myself just who is this government protecting? The Premier and his lieutenants trip off to Ottawa not many months ago and sit down with the Prime Minister and the premiers of other provinces to talk about the value, and the worth and the charge to be placed against oil. It became evident to all of us—after he had been, and came back, and committed us—that he hadn't the foggiest idea what he was committing us to; that he had been given misinformation; that his advisers had not advised him properly; that he had committed us to expenditures considerably in excess of what he himself imagined we were committed to.

Yet, when he went out to Alberta to talk about Ontario's involvement in Syncrude, did he suggest to them: "Since you hoodwinked us the last time fellows, maybe this would be the appropriate time to get retribution"? Did he suggest to them: "Maybe since you took more than we intended you would take at the last round of negotiations, this might be an appropriate time for us to negotiate a stake for Ontario at a considerably lesser amount"? Did he say: "Since you, my friend Peter Lougheed, are likely to have an election this year, and since you want to use all this revenue to try to gain for yourself the kind of support from the people of Alberta that you need to return yourself to power, maybe you could afford to assume a considerably greater extent of the cost of producing this oil on behalf of all Canadians—since in fact, that oil does belong to all Canadians"? I wonder.

I wonder if the Premier really took part in the discussions. He certainly didn't take part in the last one.

Mr. Laughren: Maybe it's just as well he didn't.

Mr. Deans: No, Mr. Speaker, I've got to tell you that when I took a look at what was said out of Alberta within 72 hours of completing the negotiations—given that there is not yet a document; given that the information that the Alberta government had was not available in total to the Province of Ontario; given that we in this Legislature didn't have an opportunity to review it; given that we're not going to be provided with the information available to the government; given that the government didn't seem to have any predetermined position before it went—the Premier of Alberta getting up and talking about using these vast financial resources that are now available to him because of the royalties imposed upon oil, to reduce the costs to the consumers of Alberta while we in Ontario are faced with increasing costs, I ask you, is that how to govern a province?

Mr. Laughren: The Tories do it. No wonder your ship is sinking fellows.

Mr. O. F. Villeneuve (Glengarry): What is the member going to do? Is he going to cut his own wood?

Mr. Laughren: They are the crew of the Titanic. Does Captain Davis know that?

Mr. Deans: We are in a very good position in Ontario. We have a wealth of mineral resources here that should be used to provide for the people of this province, and to a lesser extent but nevertheless to a significant extent, to provide for the welfare of the people of this country. I'm suggesting to the Premier that he has once again been outmanoeuvred by Peter Lougheed; that he has gone, he has sat, and he has spoken, but the man who came out on top of this one was again the Premier of Alberta, just as he did the last time, because the Premier of Ontario didn't have access to the information necessary to make the kinds of judgements that were made.

Mr. Laughren: No guarantees at all.

Mr. Deans: All we are guaranteed is if the costs rise, our share will rise—

Mr. Laughren: Right.

Mr. Deans: —not our share of the revenues, our share of the costs, while Mr. Lougheed is going to enjoy the returns from the royalties, fill the coffers of Alberta and distribute the goodies among the people, pre-election.

I'm personally unhappy with what happened in Alberta, and I want to tell you, Mr. Speaker, that I do think it's time for a new direction in government. It is time that this government sat down for whatever length of time it has available to it, and mapped out a strategy for Ontario that will enable us to derive full benefit from those things which are rightfully owned by the people of this province, and in addition to that, that they learn something about negotiation so that they don't end up giving away the—

Interjection by an hon. member.

Mr. Deans: —tax dollars of the people of this province to the major corporations as they've done in this latest Syncrude operation.

Mr. Laughren: Should have taken a cattle drover and—

Mr. Deans: It's taxing the poor to provide for the rich. You find in the corporate profits for the year 1974 over 1973, that in oil refining in 1973 profits were $384.8 million; in 1974, $487 million. Yet we've got to go out there with the sales tax dollars, the individual income tax dollars, we've got to go out there to Alberta and put $100 million into the development of Syncrude, given the vast resources of that industry.

I'm going to tell you, Mr. Speaker, if it were the desire of the country to develop that oil for the benefit of the people of this country then we should have gone it alone, because all we are doing is funnelling tax

dollars into the pockets of the major oil producers. They are taking our oil and our dollars. They are using our dollars to find our oil to sell to us at inflated prices. I wasn't really going to talk about that actually. But—

Mr. R. F. Nixon: Oh, go ahead, we are listening.

Mr. Deans: Thank you, I will, I am sure the members are. They will recall when I was speaking before the member for Prince Edward-Lennox (Mr. J. A. Taylor), who is not in his seat unfortunately, kept interrupting me when I was speaking about the profits in the major corporate sectors. I want to update my figures a little bit so that they can be compared with the figures I gave for the third quarter. The year-end profits, as reported in the Globe and Mail of Thursday, Feb. 6, in a number of areas are very interesting. These are all figures for 1974 over 1973.

I'll give the House the 1973 figures first and the percentage increase last: Banks had $402.3 million profit in 1973 and in 1974 $440.9 million, an increase of 9.6 per cent in that year. Chemicals—$58.9 million in 1973, $113.3 million in 1974, a 92.4 per cent increase. Construction and materials—$18.7 million in 1973, $28.8 million in 1974, a 54 per cent increase. General manufacturing—$18.7 million in 1973, $24.9 million in 1974, a 33.2 per cent increase. Industrial mines—my colleague will be interested—$322.8 million in 1973, $486.4 million in 1974, a 50.7 per cent increase in profit. Merchandising has gone up 46.7 per cent. Miscellaneous industrial has gone up 53.4 per cent. Paper and forest products have gone up 46.2 per cent. Oil refining —26.6 per cent. Pipelines—16.3 per cent. Steel—43.8 per cent. Western oils—49.2 per cent.

These are the increases in the profits for 1974 over 1973. This comes at a time when we are facing the worst inflation we've faced in a decade, when people are having almost insurmountable difficulty in meeting their commitments. Now they are telling us, as my colleague from Yorkview (Mr. Young) said, it's because of higher wages that we are faced with this increase in the inflationary rate.

An hon. member: The Premier said that today.

Mr. Deans: It isn't borne out by the statistics. At a time when everybody is being asked to tighten their belts, when people can't afford to buy houses, when taxes are rising, when the cost of the majority of the essential items is going up by leaps and bounds, how can it be corporate profits are going up by the same amount—?

Mr. Laughren: That's why they are.

Mr. Deans: The average increase over all of the commodities is 24.1 per cent for 1974 over 1973. And 1973 was a good year. But 1974 was a better year. It was because they dug deeper into the pockets of the wage earners of this province and extracted more for their products.

Mr. Laughren: It is called gouging.

Mr. Deans: My colleague says it's called gouging. I used that term before. Nobody seems to like the term gouging, but it seems as if it might be true.

What has been happening in the private sector over the course of the last year certainly hasn't been restraint, with profits rising as they have. Even those who didn't show a profit increase in 1974 over 1973, didn't show a loss. The profits themselves are substantial and healthy, even though their rate of increase in 1974 may not have exceeded that of 1973 in some instances.

But the fact of the matter is that we are talking about a very healthy private economy that is extracting far more from the wage earners of the province than they can reasonably pay. And that's part of the reason why people can't afford to buy into the markets into which they must go—the housing market being one of them.

Mr. Laughren: The Tories sit there and the ship sinks.

Mr. Deans: Anyhow, I have exhausted everything that I want to talk about. I know the members will be pleased to hear it.

Mr. Laughren: The Titanic all over again; Captain Davis.

Mr. Deans: While I have covered a lot of topics over the course of a number of hours, I haven't even begun to enumerate the disgraceful attitudes that this government has shown in the last three years. I thought I had seen incompetence in my time, but I have never seen incompetence the likes of which we have seen displayed in this House by this government.

It seems totally incapable of recognizing its jurisdiction. It seems unwilling to understand its responsibilities to the people of the province. It staggers from crisis to crisis without ever developing an overall economic programme for this province; without ever de-

veloping an overall industrial strategy for this province; without ever developing an overall housing thrust for this province, without recognizing the need to establish forms of review to ensure that those who are unable to buy in the housing field will at least be protected in the rental field; and without ever being able to understand its responsibility with regard to the cost of living and the need to maintain a level of food and other essential commodities that will be commensurate with the capacity of the people of the province to earn.

It has no manpower policy. It has dealt shabbily with people all the way from the Workmen's Compensation Board on the one hand right through to the public housing market on the other. It's extremely difficult for me to find anything useful to say in terms of being able to save this government from its own folly. It is absolutely committed to destroying the very social order that it is charged with administering and maintaining.

I suggest, Mr. Speaker, that it's time for a change in the Province of Ontario. And the change that takes place will be a change away from the fringes of corruption towards people who will at least deal honestly and fairly. They may not have all the answers, or may not be able to perform miracles—given the decrepit state of the economy that will be left to them. But at least they will bring integrity and honesty into government. They will be able to go to the young people of this province and say to them truthfully: "You can trust your government again. It may fail from time to time but when it does it will be fully informed and it will use the information to the best of its ability."

A tremendous lack of trust has developed within the entire electorate of the Province of Ontario. They don't trust the government any more. They feel that the government is inadequate. They don't place the kind of faith that they had in the Robarts years in the government that is currently here. They tell me this every day. They say to me: "Look, Ian, if only we could trust the government—we know they make mistakes, but if only we could feel that they are doing what they are in our best interests. Then we would be prepared to suffer along with everyone else."

But they don't think that any more. And we in this party intend to instill the kind of faith, confidence and trust in the people of the Province of Ontario that will enable them to vote at the next election—to ensure that for the first time in 32 years they will be represented here at Queen's Park in the seat of government.

Mr. Laughren: The only person I have heard disagree with that viewpoint is Ross Shouldice.

Hon. W. A. Stewart (Minister of Agriculture and Food). Mr. Speaker, I wonder if—

Mr. Deans: Does the minister want me to move the adjournment of the debate?

Hon. Mr. Stewart: Yes. Is the member through?

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Stewart: Mr. Speaker, I suggest you call it 6 o'clock and we will return at 8.

Mr. Speaker: Agreed? I shall now leave the chair and will return at 8.

It being 5:15 o'clock, p.m., the House took recess.

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No. 178



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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

DOMINION CARTAGE ACT

Hon. Mr. Winkler, on behalf of Mr. Turner, moves second reading of Bill Pr23, An Act respecting Dominion Cartage Ltd. and Downtown Storage Co. Ltd.

Mr. V. M. Singer (Downsview): Well that's a good one! Where did they dream that one up? In the absence of the hon. member who moved it, could the House leader tell us what it's all about?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Nothing really much. There was some disability in regard to the cleaning up of the affairs of this particular company. The Clerk is now satisfied that the tax arrears which were outstanding have been paid, and it can now be passed.

Mr. Singer: Well now, I'm very fascinated by what the hon. minister says. Does he have any communication from those persons responsible for collecting those taxes?

Hon. Mr. Winkler: I did, or I wouldn't be moving it. I'm satisfied.

Mr. Singer: Who was the person who transmitted the information to the minister? And on what date did he receive that information?

Hon. Mr. Winkler: This day, and it was transmitted to me by the Clerk of the House, who was satisfied with the returns that were made in regard to the bill that was before the committee.

Motion agreed to; second reading of the bill.

THIRD READING

The following bill was given third reading upon motion:

Bill Pr23, An Act respecting Dominion Cartage Ltd. and Downtown Storage Co. Ltd.

MINING TAX ACT

Hon. Mr. White, on behalf of Hon. Mr. McKeough, moves second reading of Bill 111, An Act to amend the Mining Tax Act, 1972.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, it is nice to hear the former Treasurer's (Mr. White) voice again; we haven't heard him in action for some months. It's interesting that the Treasurer (Mr. McKeough) has decided to ask his predecessor to pilot this legislation through the House. Of course, the former Treasurer was responsible for its interpretation many months ago, and it was referred to first in his budget in the spring of 1974.

The mining tax amendments have been commented on, of course, by the industry and others since that time, and I believe that the debate on this bill is a very important and significant one. I am wondering why the Treasurer has felt that his predecessor should carry the responsibility for this? It may be the present Treasurer feels the bill was rather unprofessionally drawn at the time, since the revenues, based upon this whole new approach to mining taxes, have been so far removed from the original predictions by the former Treasurer.

I don't believe anybody here on any side is going to be carrying a brief for the mining companies, which have shown substantial profit increases over the last two years.

An hon. member: The Minister of Natural Resources (Mr. Bernier) will.

Mr. R. F. Nixon: But it seems strange they should be subjected to the rather strange and unusual pressures of a new tax Act, which seems to have been based on seat-of-the-pants predictions by those people in the mines branch of the Ministry of Natural Resources rather than with any kind of a hard-headed projection as to what the revenues might be, or certainly without any consultation.

Consultation with the mining industry is not necessary, but I believe that consultation with other taxing authorities is necessary. One of the important aspects of this legislation is the kind of pressure that is applied

to the industry, when both the government of Canada and the government of this province decide here is a reservoir of revenue, relatively untapped, which can be used for purposes of general revenues which have not been, let's say, foreseen in the past.

I have often heard the spokesmen for the NDP, when they are talking about certain programmes they want to bring forward, indicating that all of these can be carried out without any increase in tax revenues whatsoever, except those on the corporate profits of the mining industry. Inco is usually indicated as the chief one concerned. I feel this is a substantially misleading approach to the problems of corporation taxes. The phrase corporate bums is associated with the NDP, and certainly it hit a sensitive, respondent note in the community, which has often felt, particularly in the resource industry, that the corporate taxes and the rentals, as one might put them, for the utilization of public resources have not been adequate.

My own feeling is that the mining industry has largely been responsible for its own problems. In looking over the various briefs from the industry over a number of years, my own feeling—and it may be prejudiced—is that we would have some reason not to be entirely confident, not in their specific figures but in their attitude expressed toward the taxing powers of the province and the federal government. However I also feel, even recognizing the increase in profits that have been reported by the mining companies, that are well known in this province over the last two years, that it is unfair that the two jurisdictions, federal and provincial, have not had an opportunity, or not taken the opportunity, for the kind of consultation that would bring about a concerted approach toward the revenue-producing aspects of mine profits or the utilization of natural resources by the mining corporations.

Mr. W. Ferrier (Cochrane South): Where does that qualify?

Mr. R. F. Nixon: I am glad to hear the member for Cochrane South is participating, because I have a feeling the NDP is going to be very strongly opposed to this bill on the basis that it does not return enough revenue. I can remember that position being taken in the past when the member for Cochrane South actually spoke and voted against his colleagues because he, being a member from a community which depends upon mining resources for its livelihood, realizes that if we are not going to go toward public ownership, which we in this party reject, then the mining companies have got to have a level of profit which will permit them to expand their operations to keep on expanding their level of employment.

Mr. Ferrier: But not an inordinate level as this bill permits.

Mr. R. F. Nixon: You know very well, Mr. Speaker, being a close follower of the debates and the votes in this House, that the hon. member who is interjecting spoke and voted against his own party when we were concerned with special incentives for the Texasgulf corporation some years ago.

Mr. R. G. Eaton (Middlesex South): I bet he had some shares in it.

Mr. R. F. Nixon: I felt this was to his credit.

Mr. Singer: Some members didn't know that. Didn't they read about it?

Mr. R. F. Nixon: Not only did it indicate a certain independence of opinion, but I thought it indicated a certain sensitivity as to the views of the people in the north, particularly those who depend upon the mining industry for their employment.

People in Sudbury, and I remember the former member for Sudbury, Mr. Sopha, taking a strong stand in many of these matters, have another type of independence, based upon perhaps another view of the exigencies of the mining economy. But I will tell you, Mr. Speaker, that we in this party don't believe any government, let alone an NDP government, should be running the mines of this province. I don't think that is in the best interests of anyone. If we reject that as an alternative then we must in belief in the free enterprise system, have a tax base which is going to be seen by objective observers—those without too many political axes to grind—as a piece of legislation which is going to return to public revenue those shares of the profits of the mines which are deemed to be fair and equitable. This has got to be a subjective judgement.

Mr. J. E. Stokes (Thunder Bay): Oh, the member is talking out of both sides of his mouth.

Mr. R. F. Nixon: Yes, yes.

Mr. Stokes: What about Syncrude? What about Panarctic? What about the Canada Development Corp.? What about them?

Mr. Speaker: Order please. We're debating second reading of Bill 111.

Mr. R. F. Nixon: I must say the member for Thunder Bay is consistent; that he's a socialist and he believes the government ought to run the railroads, because he knows how well they run the railroads. They ought to be running the mines and they ought to be running all of these things, and he's getting a little touchy—

Mr. Stokes: I didn't say that.

Mr. R. F. Nixon: —because he realizes that with only three members of the NDP here their position is a little weaker.

Mr. Stokes: The Leader of the Opposition said that. How many Liberals were here on Friday?

Mr. R. F. Nixon: It may well be, Mr. Speaker, that they're hoping I will speak for quite a while until the hon. member for Riverdale (Mr. Renwick)—

Mr. Ferrier: We know how we are going to vote.

Mr. R. F. Nixon: —gets back and tells them how they're going to vote on this particular bill.

Mr. Singer: Aw come off it, come off it. There were more than there were NDP for two-thirds of the morning, and the member knows that.

Mr. Stokes: I don't know that.

Mr. I. Deans (Wentworth): I don't know that.

Mr. Singer: Well the member should, otherwise he can't count.

Mr. Speaker: Order please. The hon. Leader of the Opposition has the floor.

Mr. Singer: I was here at 10 o'clock. There were nine of us here and there were five from the NDP.

Mr. Stokes: The hon. members are talking out of both sides of their mouths.

Mr. Singer: What is the member complaining about? Nine to five it was.

Mr. R. F. Nixon: To get back to the point, now that I've stimulated the hon. member for Thunder Bay to one of his better interjections.

Mr. Stokes: Stick to the facts.

Mr. Singer: Only when the members for High Park (Mr. Shulman) and Scarborough West (Mr. Lewis) aren't here.

Mr. Stokes: Nothing but the facts.

Mr. R. F. Nixon: We are concerned at the lack of consultation between the two levels of government pertaining to the taxation of resource industries. I've read the arguments put forward by John Turner in defence of their stance with regard to the budgetary position which indicated that royalties, not taxes specifically but royalties, as a matter of importance, would be non-deductible from federal taxation. This does not apply to the mining taxes nearly so directly, since the federal government has withdrawn from approximately 25 per cent of their mining tax area in favour of the provinces. As I read this legislation and see the results of the taxation indicated by the Minister of Natural Resources, it appears we are more than filling that room vacated by the government of Canada.

I was interested to read a report of a speech made by the president of Noranda, Mr. Powis, who indicated that in this province their profits are now taxed at the rate of approximately 60 per cent. I don't think that's out-of-the-way. I would think that, as a shareholder in Noranda—which I am not but I presume there might be a few within sound of my voice—that I might object to—

Mr. Singer: Not in the NDP, surely.

Mr. R. F. Nixon: The member for High Park isn't here. He probably has only one share so he can speak at their annual meeting.

Mr. Singer: The member for Cochrane South is grinning.

Mr. Stokes: He hasn't said whether he's a shareholder or not.

Mr. R. F. Nixon: He's hardly ever here, is he?

Mr. Singer: No. The member for Cochrane South is a shareholder in Noranda.

Mr. R. F. Nixon: Mr. Speaker, I said before that the mining industry, years ago mind you, was its own worst enemy because it tended to mislead us in this Legislature—and I believe mislead the community to some extent—as to the problems it was facing and to some extent as to the financial impact of tax legislation.

I am hardly in an actuarial position to check the president of Noranda's indications, but they were quite clear in a speech delivered to the Canadian Club or the Empire Club a few weeks ago, which was widely re-

ported, that in this province their profits are taxed at the level of approximately 60 per cent. Anybody who is talking about a higher rate of taxation than that is talking about confiscation or public ownership. It seems to me that is a reasonable rate of taxation if we expect, as we do, that those mining corporations are going to direct a substantial share of their profits toward the expansion of the mining industry in the resource areas of this province. I believe that we depend upon them to support the exploration and the other work that would lead to the opening up of mines as the resources gradually work out.

I was interested also in reading his comments when he said that, in fact, these should not be classified as non-renewable resources because all of the minerals that are mined out of the ground are, in fact, still in utilization in the world today. They are not destroyed, but they are made usable by the operations of the mining companies.

Mr. F. Laughren (Nickel Belt): That's stretching it.

Mr. R. F. Nixon: I don't know whether it is stretching it or not, but I do agree with the gentleman who interjected, that once they are taken out of the ground their utilization as far as a source of corporate taxation is lost to us, so they may be non-renewable resources from a taxation point of view. The nickel and the copper and the gold and so on, however efficiently or inefficiently it is used, is still extant in the world, and in fact the amount is growing as it is removed from the earth, refined and made into usable products or set aside in vaults by those who want to treasure one particular metal or the other.

In returning to the views of the Minister of Finance for Canada, I feel the main pressure on federal policy has been brought by the oil-producing provinces. With their royalty policies it appeared more and more that if all of those payments were totally deductible from the federal taxation, the federal government would, of course, find the provinces that found themselves in the advantageous position of taxing oil resources would tax them at such a level that there would be no corporate profits left after the deduction for the federal government to tax at all.

I'm quite sure that if we had that sort of a policy here, rather than a direct mining corporation profit tax, it would be only good sense, if it were deductible federally, to tax them to the limit so that it would all be deducted federally and we would get the profits here. Anything less than that would mean we are not taking advantage of the situation for our own taxpayers and for our own revenue.

So I have a certain amount of sympathy with what the Minister of Finance has said and done. But I feel—and I think this was indicated in the speech that I have already referred to twice—that in order to stop the flow of federal revenue or the erosion of the federal tax base, it is the mining tax situation that's been injured almost incidentally. I hope that it would be possible for the new Treasurer, if not the old—and I'm sure that the former Treasurer had a good basis of discussion with his colleagues or with his opposite numbers in Ottawa—to find a basis for sitting down and working out these problems so that both the province's and the federal treasury would have an equitable share of these profits as they accrued to the mining corporation.

It's strange that it's just in the last two years that these great pools of profits, as they have grown unexpectedly, have been seen by both governments to be a tremendous source of perhaps unexpected revenue. I'm not sure that it wasn't, in part, based on the attacks of David Lewis in the election campaign of 1972, but as well it was based on the fabulous windfall profits accruing to mining corporations as the prices of the products they had for sale skyrocketed in the world market. Even during the years when their prices seemed to be going up without limit, these people were sending out briefs to anyone who would read, taking full-page ads in the provincial dailies, drawing to our attention and the taxpayers' attention, that the mining industry was very much a cyclical industry and that the values and the profits were very unpredictable.

Mr. Powis had some very harsh words indeed to direct to the former Treasurer, who is piloting this bill, the member for London South, indicating that he was ill-informed indeed. I think this has been borne out by any perusal of the price of metals on the world market today. While we hope the profit levels of the mining corporations will be such that they can maintain not only the present stance but an expanding programme in their industry, it is obvious that the prices, even compared with what they were when this budget was brought down and the taxes were first imposed, have dropped enormously, particularly in the case of copper. The gold mines are experiencing perhaps the greatest boom they've had since the palmy days when Harry Oakes and some of the others—well-

remembered names — were taking the riches out of the earth and transporting them to Nassau and points out of this jurisdiction; something that was greatly to be regretted. I'm not prepared to criticize the government of the day for letting that happen, but this is another day and I hope that we can—

Mr. Laughren: Liberal government, is it?

Mr. R. F. Nixon: Oh, the member wants to make a speech on that, does he? Let's tear the skin off Mitch Hepburn, he's always a vulnerable target.

Mr. Stokes: That would be messy.

Mr. R. F. Nixon: That's true.

Mr. Stokes: Old onion-skin.

Mr. R. F. Nixon: It was a bloody crime.

Hon. Mr. Bernier: That must be hard for the Leader of the Opposition to say.

Mr. R. F. Nixon: Not hard to say, no, no. As a student of history and this far removed I am prepared to say it.

An hon. member: I'm–I'm–I'm–I'm for Nixon.

Mr. R. F. Nixon: But I do believe that there are about three things—four, since I know the member for Thunder Bay is going to be interested to know how we are going to vote on this—and I might as well end up by saying something about that.

Mr. Eaton: Have the Liberals decided yet?

Mr. R. F. Nixon: It's essential that the provincial and federal jurisdictions work together better than they have. I don't particularly want to get into the problem the former Treasurer had in dealing with the government of Canada. I always felt he couldn't think of it as the government of Canada but only as "those Liberals in Ottawa." Yet I feel his ability and his personality were deep and perhaps expansive enough even to overcome those rather sickly prejudices which he has shown in the past, and in fact deal with the government of Canada in a way which would be for the benefit of the province and not exclusively for the benefit of his own party.

The second point is that if we believe in the free enterprise system, obviously there has to be a level of taxation which is going to allow the mining industry to expand so that the job opportunities in the north are going to increase rather than decrease. I'm not at all sure—as a matter of fact I am quite sure that it is not enough, simply to leave profits in the treasury of these corporations in the hope they are going to be spent for the purposes that I have described.

We know that Inco, for example, has used a good part of its profits to diversify out of the mining industry entirely and in another country. It used a huge chunk of its profits to buy a controlling interest in some battery company down in the United States, which is not going to be much good to us.

So the idea of strengthening the provisions of our laws and regulations and keeping the benefits from the profits of the metals extracted and refined in this jurisdiction—let's say in this country, which I think is the better view—is certainly extremely important. It is not enough for us to say we are prepared to leave these profits under the companies' control, with the expectation that they are going to expand their operations in a job-producing way.

It is necessary for the government to use its undoubted powers to see that those profits are used for that purpose, and I think that is quite within the realm of reasonable contemplation as far as policy is concerned.

I know we have had strong statements from the government over the years. I think Al Lawrence made the strongest ones, about regulations which would require the ores to be refined in Canada. We are prepared to applaud him for saying not just in Ontario but in Canada, but we were rather surprised to learn that he was giving licences for exportation of these ores which allowed more ores to be exported after he made his statement than before.

The problems that the mining industry has should not, I think, unduly preclude the co-operation between the Provinces of Ontario and Quebec. This means there has to be a meeting of minds between those people in authority in this province and also those in the Province of Quebec. We would hope the attitude of the government of Quebec would not be unnecessarily chauvinistic, if the word is appropriately used there. We are both provinces blessed with tremendous mining resources. It would be a shame if somehow a boundary were built along the borders between our two provinces, which boundary was unnecessarily going to restrict the activities of the companies.

Once again referring to Noranda, a good many of its products, and the products from the Timmins area, go across to Quebec. I think this is a great problem, as far as we

are concerned, that we are losing the advantage of the jobs that could accrue to the people in this province. And I would think that the Minister of Natural Resources, who may in fact comment on this debate later, should give us some accounting of how he has dealt with the Province of Quebec, and certainly with the mining industry concerned —Texasgulf and Noranda—as to the problems associated with that boundary. And we must remember that it is not an international boundary but a provincial boundary.

Now, the revenue aspect is the other thing I wanted to talk about. It appears, from a rather vague answer from the Minister of Natural Resources this afternoon, that while it was predicted there would be revenues of $88 million from the imposition of this new tax, that he is expecting by the end of the fiscal year to receive $144 million—and this is still a far cry from the predictions made by the Treasurer in his budget.

I remember that he got up a few weeks after the presentation of the budget and brought us the great news that revenues were going to far exceed his original predictions.

It seems to me that there must be somebody in the old Department of Mines—I don't know what we call it now; the mining branch or something—who had perhaps not done enough calculating or enough consultation in predicting the revenues, even though the prices were going up very rapidly and there was every reason to predict a rapid expansion and then escalation of price.

I would say this: That a government with the resources in expertise that this government has, has been seen to be almost unimaginably inept in the imposition of the tax and its predictions as to its revenue.

I suppose a virtue can be made of the fact that we are now extracting revenue from mining corporation taxes amounting to $144 million, and I am sure there will be those who will speak after me who will say that it is still certainly insufficient; but on the basis of the view of the tax responsibilities vis-à-vis the mining corporations, we are prepared to support the government in at least the principle of dismissing the old tax procedure and putting in a graduated scale of the type that was announced by the Treasurer in his budget last spring.

We are prepared to be critical along the lines that I have brought forward, but essentially this tax base is directly associated with the level of profit.

There have been a number of loopholes left, which we would like to consider further. The fact that new mines as they come into production are to be considered separated from the parent corporation, is a tremendous advantage to the large corporations which already report very large profits indeed. If they had to pay taxes on the revenues from their new mining operations at the level associated with the overall corporate profits, of course it would mean that they would pay even more than the profits accruing from the new operations.

We are still concerned that perhaps this gives an undue advantage to some of the big corporations. We have a bit of a problem with this ourselves, I must admit, because we are committed to the free enterprise system. The last thing we want is for the government to be operating those mines.

Government policy must be directed toward keeping the mining corporation economically viable, by means of regulations, seeing that a large part of that viability, that is the profits, are turned into the further development, of Ontario first and secondly of Canada. This is not an easy job. It will require a much closer consultation on the part of the authorities in this province with their opposite numbers in the Province of Quebec; and much more important, the officials in the government of Canada.

Now I believe this is an important debate because there are those who are prepared to say that all our economic problems can be solved simply soaking the tax money out of the mining corporations. We do not believe this. We are not here to speak in their defence, because their profit levels are well known and have been put on the record of this Legislature frequently, most recently just this afternoon.

So it is with some reluctance, I must admit, that we are prepared to support the principle of the bill that is before us this evening.

Mr. Speaker: The member for Cochrane South.

Mr. Ferrier: Mr. Speaker, we didn't expect much different from the Liberal Party.

Mr. R. F. Nixon: What is the member going to do for the miners in Timmis? That will be interesting.

Mr. Ferrier: If the Leader of the Opposition listens he will find out what I am going to do.

I am glad to see that it is the Minister without Portfolio (Mr. White) who is piloting this bill through the House. Unfortunately,

the taxation of the mines should not be in the Ministry of Natural Resources. It should be in the Ministry of Revenue, because in my opinion there is a conflict of interest between the Ministry of Natural Resources and the taxation of the mining companies. There has always been too close a link between the mines branch of that ministry and the mining industry and I will just give you a little anecdote to point that out, Mr. Speaker.

This past fall I was visiting some of the local mines in my area with certain of the officials of the Ministry of Natural Resources and I got into a very heated discussion with one of the persons over the taxation of the mining industry. This particular person said: "You are taxing the mines far too heavily. You shouldn't go ahead with this bill." When I pointed out to him that it was only on profits that the taxation in this bill applies, he didn't even accept that. It was interesting that standing there was the underground superintendent of the large mining company. "For God's sake," he said, "finish up your argument and let's get down and view the mine," because he had some other commitments later on in the day.

Interjection by an hon. member.

Mr. Ferrier: So we would have liked to see the government take the further step and put the taxation of mining under the Ministry of Revenue where all other taxation in this province belongs.

We are witnessing a federal-provincial confrontation over the resource tax field, as has been mentioned here by the Leader of the Opposition, and the federal Minister of Finance, John Turner, gave this as a principle of his budget: "It is essential that this sector bears a burden of tax profits that is reasonable, relative to the share borne by other sectors of the economy."

Of course, that is recognition that the natural resources sector has borne a minimal tax burden for years. Eric Kierans remarked in his speech—

Mr. Stokes: That great Liberal.

Mr. Ferrier: —and the remark is something revealing—

Mr. Singer: I hear the NDP is making him its new federal leader. Is that true?

Mr. Ferrier: —although I am inclined to disagree to some extent with what he has said, if we use the Ontario experience as an example—

Mr. Singer: Who are they going to get?

Mr. Ferrier: Well, we won't get the member for Downsview, that's for sure.

Mr. Singer: No, I wouldn't even offer.

Mr. J. R. Breithaupt (Kitchener): His is the only name I haven't heard mentioned.

Mr. Ferrier: Kierans said: "If the resource sector has paid too little in taxes on the mining of natural wealth, this has principally been the result of federal policies and definitions of taxable income, not provincial legislation."

Mr. Singer: Where is the member for Scarborough West tonight? He is not here tonight?

Mr. F. Young (Yorkview): The member should listen to what is going on here. There is wisdom being dispensed.

Mr. Speaker: Order please. The member for Cochrane South is making his remarks.

Mr. R. F. Nixon: The government of Manitoba didn't accept Kierans' recommendations when they were made to that government.

Mr. Ferrier: Well this speech wasn't given to the government of Manitoba.

Mr. R. F. Nixon: They hired him.

Interjections by hon. members.

Mr. Ferrier: It seems to me, Mr. Speaker, that until now the provinces as well have been extremely generous to this particular industry. Nevertheless the federal government's unilateral action to disallow provincial royalties and mining taxes goes right to the heart of the constitutional foundation of this country as laid out in the BNA Act.

Mr. R. F. Nixon: Is the member still quoting Kierans?

Mr. Ferrier: Sure, I am going to quote him again from the same speech—

Mr. Singer: Is the member going to vote for him for leader?

Mr. Ferrier: —and he says that this action "indicates a new round of federal-provincial confrontations in which no government can sit passively on the sidelines while its provincial partners are picked off one by one. The debate will go to the core of the political structure of this country, that is, the measure of centralization that Canadians are prepared to accept."

I must say that I personally deplore the federal government's move into the provincial area of jurisdiction when they disallow the write-off of mining taxes. I agree there is much more revenue available from the natural resources sector than this bill before us will extract. But I believe the bulk of this revenue should come to the provinces, since our tax base is much more limited than is that of the federal government.

Hon. L. Bernier (Minister of Natural Resources): It may be higher than that of the federal government.

Mr. Ferrier: As to the non-deductibility of provincial royalties and mining taxes, I would like to quote from a statement by J. P. Coristine of the Iron Ore Co. of Canada, which he made at a panel on taxation of mining at the Canadian Tax Foundation.

> We find it highly objectionable in principle that the government proposes to include in taxpayers' income amounts that he will never be entitled to receive. [He goes on to say] We would also like to raise the question which we cannot answer, as to whether the government is entitled to include in income something which does not, cannot and never will become the income of the taxpayer. [He sums up by saying] The strategy of using taxation to threaten vital industries in the natural resource sector, in order to achieve what a particular level of government believes to be an equitable share of resource taxes, is to be deplored.

He's quoting from the Canadian Bar Association's presentation.

I feel that the federal government, in moving into this field as it has and preempting the provincial government's right to taxation, is to be deplored. I am surprised that the Leader of the Opposition did not come out much more strongly on the province's side.

The bill before us represents an increase from $88 million in mining taxes under the old scheme of taxation to $144 million. Not what one would call a dramatic increase or a reasonable increase. For this reason, we in this party will oppose the bill.

Mr. R. F. Nixon: Because it is a reasonable increase?

Hon. J. White (Minister without Portfolio): How high would the member like to see those taxes?

Mr. Ferrier: We'll see.

Hon. Mr. White: The member personally?

Mr. Ferrier: Me personally? A good deal more than they are now because there are far too many write-offs and—

Hon. Mr. White: Spit it out.

Mr. Laughren: We'll tell the minister. Wait for it. He'll hear.

Hon. Mr. Bernier: The member is scared of Timmins. He won't say.

Mr. Ferrier: However, this modest move by this government has triggered the usual hysterical denunciation and violent promises of capital lockouts that previous efforts to increase mining taxation have resulted in. We all got "Super Tax", put out by the Ontario Mining Association, and many newspapers in this province carried the advertisements "Does anybody out there care?"

Mr. Laughren: I thought it was the John Birch Society that put that out.

Mr. Ferrier: The poor, poor, hard-done-by mining industry. In "Super Tax" we read:

> Contrary to general public belief, the mining industry is not opposed to higher taxes or amended regulations, provided that they are reasonable and do not impair the industry in any of its essential functions. Modifications in tax rates, incentives and other regulations are desirable from time to time to meet changing conditions. But the mining industry, along with all other business sectors, must be permitted to earn reasonable returns under reasonable rules, which the industry can expect will not be changed at whim.

Mr. Laughren: Sounds like Wallace.

Mr. Ferrier: I suggest, Mr. Speaker, that in the last couple of years in particular the profits of the mining companies have steadily risen to record levels in most of the companies' histories—profits that are higher than they've ever achieved before. Yet when they are asked to pay a modest increase in provincial taxes, they mount their usual scare campaign and threaten their usual blackmail.

Mr. Laughren: That's right. That's what they call it.

Mr. Ferrier: While the OMA and all the mining companies begin every article by saying that the industry does not oppose an increase in taxation, every statement that follows indicates how much they do oppose any increase. In an effort to try to meet a myriad

of needs and programmes, costly as they are, and beset by inflation, I believe the people of this province have a right to demand a greater taxation return from the mining companies of this province.

Mr. R. F. Nixon: It is up about $100 million in one year.

Mr. Ferrier: In making this assertion, I am at the same time saying that a good close look needs to be taken at the taxation of the industry and corporate institutions that lie here in southern Ontario. The northern Ontario mining industry should pay more, and more of this money must go back into the north. A careful review is in order for the southern industries and financial institutions as well, to finance the government's needs, without expecting us in the north to subsidize them.

As I understand this legislation before us, Mr. Speaker, the government's intention was to double the yield from the mining tax and to secure a larger share of windfall gains. Going from $88 million to $144 million is certainly not doubling.

Mr. R. F. Nixon: Actually, it went from $45 million to $144 million in one year.

Mr. Ferrier: Not according to what the minister said this afternoon.

Mr. R. F. Nixon: The report for a year ago showed the revenue as $45 million.

Mr. Ferrier: This tax is a tax on bigness, as E. K. O'Brien of Inco complained in a paper to the Canadian Tax Foundation. He complained it represents an unveiled attempt to severely tax large profits without regard to investment required to produce those profits. The large windfall gains are there; the people have a right to a reasonable portion of them. As it is, these companies have such a pool of retained earnings from their retained income from mining that they have diversified into pulp and paper, forest products, battery companies, service companies and manufacturing, as they become even bigger and bigger multi-national conglomerates.

We kid ourselves if we think that the majority of the profits are returned to the shareholder. The truth of the matter is that he gets precious little of it. The system of taxation, Mr. Speaker, based on profit, has some merit in the mining industry. I agree that it is something of an incentive to mine the lower-grade ore, which otherwise might be left if a royalty system is used. This, of course, will extend the life of the mine and the community around about it. A graduated system does provide some assistance to smaller mines in that what profit they do accrue is taxed at a lower rate and the rate goes up only as the profit rises. The graduated tax, as embodied in the bill, is not an altogether bad principle, and the heavier taxes on the big mining companies are certainly to be desired.

The truth of the matter is that the mining industry is almost exclusively made up of giant mining corporations. The small mining companies are becoming a thing of the past and this is not desirable. The reason why this bill does not do what it is purported to do is that the base on which the tax is levied is still inadequate and too many exemptions and concessions are still granted. R. D. Brown, a senior tax partner with Price Waterhouse and Co., wrote an article entitled "The fight over resource profit." It was, I think, in the 1974 July-August edition of the Canadian Tax Journal. He wrote this paragraph:

> Because of the deduction of the processing allowance in determining mining profits subject to provincial mining taxes, and because of arbitrary disallowances and other differences in the calculation of income from mining tax for income tax purposes, it has always been difficult to express provincial mining taxes as the equivalent of effective corporate income tax rates. Up until the past year the maximum rate of provincial mining tax in the more important mineral-producing provinces – Ontario, Quebec, Manitoba and British Columbia—was 15 per cent, but in many cases the effective rate of such taxes, after processing allowances and after allowing for their deductibility for income tax purposes, was very substantially less.

The tax base on which the mining tax is levied is greatly reduced from the actual profit the mining of the ores actually produces.

Before this bill becomes law, mining profits were taxed at 15 per cent but the deductions of the following expenditures were allowed: exploration and development expenditures in Ontario; depreciation on mining and processing assets on a straight-line basis at a rate of at least five per cent but not more than 15 per cent of the original cost of the assets; processing allowances—which, according to E. K. O'Brien of Inco, are the most generous in Canada and which we propose to make much more generous—are permitted as an

annual deduction in determining taxable mining income.

Based on original asset cost, eight per cent is permitted in respect of concentrating assets, 16 per cent cumulative in respect of smelting and concentrating assets, and 20 per cent cumulative in respect of refinied smelting and concentrating assets.

The change in this bill, as introduced by the minister when he was the Treasurer of the province, was to introduce the graduated tax—as noted in section 2 of the bill—and some other things: Depreciation allowance of up to 30 per cent for new plants, equipment, machinery and buildings, exploration and development expenditures incurred in Ontario after April 9, 1974, and prior to the commencement of production will now be permitted as a deduction in computing profits.

In the words of the minister who is piloting this bill before this House, in the new system we retain several existing measures that have, in the past, stimulated exploration, new investment and domestic mineral processing. These measures include the automatic depletion allowance, the full deduction of exploration and development expenses and the generous fast write-off provisions of the Corporations Tax Act and the Mining Tax Act.

When the minister introduced this bill into the House on June 20, 1974, he made some more concessions and modifications. First, new mine income was to be disaggregated for the purpose of calculating mining tax, and depreciation allowance for new mining assets increased from 15 per cent to 30 per cent on a straight-line basis and applied to new assets after April 9. Processing allowances were improved in respect of refining assets as they're operated in northern Ontario, and a further processing provision was added to existing ones in order to encourage, in the minister's words, "manufacturing in northern Ontario."

The processing allowance applies to assets when acquired prior to April 9. No processing allowance could be taken until the asset was used.

In the bill, as I have stated, when the minister introduced it on June 20, 1974, the provision was made for the disaggregation of new mines for the purpose of calculating the mining tax. He described it in a speech to the Canadian Club in New York as follows:

> New mines will be taxed individually, not collectively, to allow each mine to work its way up the graduated tax structure. This measure will not only encourage new investment but will also provide equal tax treatment to the new mines of all companies, large and small.

But disaggregation, if applied to separate and distinct ore bodies, may have some merits. In the Timmins area, Pamour Mines has adopted the practice of developing several small gold ore bodies, obviously and geographically distinct from the ore body at the original Pamour mine and miles away from it. There's the New Joburke and the Golden Arrow—and the ore is trucked from these mines to the Pamour mills for processing. Perhaps if disaggregation is limited to this kind of operation, as I say, it may have some merit.

But Dr. Charles Fogarty, president of Texasgulf, in an interview with financial analysts in Toronto, is reported to have said that disaggregation will allow Texasgulf to sink a new shaft a little distance from the present shaft so that it can go deeper underground in the same ore body at the same mine site to develop workings at this lower level.

If disaggregation permits this to take place so that the ore from this new level of workings of the same ore body is taxed at the graduated rate with the exemption for the first $100,000 profit and up to the graduated scale until you get $40 million, and it's reached at the 40 per cent level, then I am opposed to the principle of disaggregation.

I would ask the minister in his response, Mr. Speaker, to deal specifically with this question as it relates to the situation I have outlined at Texasgulf. Does disaggregation mean that you can do this with the same ore body, as was suggested by Dr. Fogarty?

As I understand it, in regard to the processing allowance, this was heretofore not in the legislation, but it grew into the manual of the mines assessor. There was no set down legislation or provision in the regulations; but it is just a practice that has grown up. Is the minister going to regularize this in his bill? The processing allowance in this bill is enriched in three significant ways, according to the aforementioned speech of the Minister without Portfolio when he was the Treasurer. It was given before the Canadian Club in New York, and I'll just read part of what he had to say there. He said:

> First, there will be a sharp increase in the allowance rate for ore refined in northern Ontario. Secondly, a new incentive category will be established for companies that carry processing in northern Ontario beyond the prime metal stage. Thirdly, companies will be allowed to apply the allowance as capital works are constructed,

rather than when they are completed and put into production.

He went on to say:

> I have mentioned that some of our measures are of particular benefit to the small companies, but one should not infer from these remarks that large companies will find their incentives reduced. This is not so. To determine what impact our new measures might have on large, integrated mining companies, we analysed one large company situation and found the processing allowance alone will reduce its tax this year by more than 15 percentage points, bringing its rate down to about 20 per cent.

So, the government is eroding the tax base and it is admitting it in a very significant way, and in a growing way. And then the minister went on to say that the big companies are going to go ahead with the expansions they have announced, or they intend to accelerate their expansions.

Let me say, Mr. Speaker, that until this bill is passed the new expansions of Texasgulf in the Timmins area will not be formally announced. The expansion at this mine will be a copper smelter and refinery, plus a fertilizer plant and a possible lead refinery. If all these plans go forward, as I am sure they will, Texasgulf plans to spend about $500 million on plant construction in the next few years.

At this point Texasgulf is playing a very skilful waiting game in anticipation of as many tax concessions as is possible from this government. It did it when the negotiations to construct a zinc refinery were going on. At that time both provincial and federal governments were very generous. In fact, through DREE, the federal government granted it over $8 million, and the province made major concessions as well.

An interesting sidelight on this was the concession to the company made, supposedly by Allan Lawrence when he was Minister of Mines, as to the write-off of the rental on the railway spur. But that was not honoured by the ONTC since apparently Allan Lawrence made the concession without formalizing it in contract form. So poor Texasgulf lost out on that one.

Mr. S. Lewis (Scarborough West): The only useful thing Allan Lawrence did while he was Minister of Mines was to foul it up.

Mr. R. F. Nixon: Where is he now?

Mr. Ferrier: As long as governments at the federal and provincial level intend to carry out resource development by means of large general tax concessions, and subsidize the large mining companies, I do not blame Texasgulf for trying to exact as much as it can get.

Mr. Lewis: It's called capitalism.

Mr. Ferrier: But is this the right principle to follow in terms of development? Do we have to make these kinds of concessions? Consider this recent release on Texasgulf's 1974 sales and earnings, from New York, Jan. 28, 1975. Mr. Speaker, it reads:

> Texasgulf Inc. announced today record sales and earnings for the year 1974 exceeding the previous record set in 1973.
>
> Net income for the fourth quarter of 1974 amounted to $42,218,000, or $1.39 per share, compared to $26,676,000, or 88 cents per share, in the fourth quarter of 1973, an increase of 58 per cent.
>
> Sales in the fourth quarter of 1974 amounted to $156,152,000, compared to $111,236,000 in the fourth quarter a year ago, an increase of 40 per cent.
>
> Net income for the year 1974 amounted to $147,442,000, or $4.84 per share, compared to $73,922,000, or $2.43 per share, for the year 1973, an increase of 99 per cent.
>
> Sales in the year 1974 totalled $568,526,000, compared to $363,776,000 in 1973, in increase of 56 per cent.
>
> The company's chemicals and metals divisions were the principal contributors to the higher 1974 sales and earnings, with chemicals showing the greatest percentage increase. The oil and gas division made smaller gains.

Mr. Speaker, does the multi-national resource company with net income of $147,442,000 for 1974, with a significant portion of this from the metals division—that is, the Timmins operation—need all the extra concessions that the minister proposes in this bill and is anxious to hand out to it?

Mr. Laughren: Not bloody likely.

Mr. Ferrier: I seriously question the minister's exceeding generosity in that programme. I feel that that expansion will go ahead anyway, since the ore body is so rich and such a large profit is to be made over the years that it can more than finance the major expansion that is proposed.

As a side comment, Mr. Speaker, the longer they delay in going ahead with this construction project, the more it's going to cost them. Inflation is unchecked and it's going up, construction costs are going up as high as anything else, so they are being rather self-defeating if they delay.

The ore at that mine is an extremely rich ore. It's varied and it's complex. It contains zinc—

Hon. Mr. Bernier: I hope the member sends this speech back to Timmins.

Mr. Ferrier: The minister will send it back, I know that; I don't care. I'm making it here in public, hoping that as many people as possible will read it, because I think it does justice to the whole situation and stands up for the good of the people of this province.

Mr. Young: If the government extends it to the company, it should extend it to the people.

Mr. Ferrier: That ore contains zinc, copper, lead, silver, tin and small amounts of gold, so that its worth is very great. As well, the extent of the ore body is still not defined.

Hon. Mr. White: I have been in Timmins a dozen times. They don't even know who the member is.

Mr. Laughren: They certainly know who the minister of mines is and what he has done to them. That they know.

Mr. Ferrier: The people of Timmins have no trouble knowing who their member is. He looks after them.

Hon. Mr. White: I didn't know who their member was.

Mr. Ferrier: The minister doesn't know a lot of things. He doesn't know a lot of people.

An hon. member: It's a good thing he is getting out of politics.

Mr. Young: He ought to make a trip to the north sometime.

Mr. Ferrier: This bill enhances the processing allowance by making it applicable as soon as the capital project undergoes construction rather than waiting for its completion, as is now the case. This is a major concession that this bill incorporates. Furthermore, the processing allowance is increased so that smelting facilities in either northern Ontario or the rest of Canada can be deducted from mining income at the rate of 16 per cent instead of eight per cent.

Refining facilities are raised in northern Ontario to 30 per cent while they remain the same in the rest of Canada at 20 per cent. Further, processing facilities in northern Ontario will qualify for 35 per cent write-off against mining income. This is new. However, the processing allowance, as I understand it, which is now eight per cent for ores processed outside of Canada, is abolished.

This kind of incentive to the private mining industry which is really the giant mining firms of Inco, Falconbridge, Noranda, Texasgulf, Rio Algom and Denison, is far too rich and unnecessary. It gives away too much of the public's money in the name of development. It is socialism for the rich while we preserve free enterprise for the poor. I do not happen to think we need to make all these kinds of generous concessions to the rich.

We react too readily to their hysterical denunciations and high-pressure threats. We do not negotiate for the people of the province, of whose resources we are the trustees, with sufficient resolve and determination. We are like Esau in that we are prepared to sell our birthright for a mess of potage. We must be prepared to face up to the public involvement in our resource development in the mineral field. We can find $100 million to invest in Syncrude in Alberta to bail out the multi-national oil companies. Why cannot we find this kind of money to develop our mineral resources for our own good rather than engage in further tax write-offs and concessions to the industry?

As Eric Kierans has written:

> It is the value of the ore or the crude oil and gas that is of paramount importance to the provinces. The refining and conversion process built upon them can and should be left in the private sector, assuming the conditions of supply and competition obtain. Therefore the task facing provincial taxation authorities is to disentangle from the varied complex and diversified activities of the large resource corporations the direct and simple costs of the actual mining. This is where the real profits are to be found, hidden though they may be by depletion and exploration costs and averaged into the overall group returns of the diversified, modern conglomerate. That these profits are large can be judged by the huge holding-company structures built upon the flow of funds from the original resource concessions.

We should, therefore, hasten the move to set up a provincial Crown corporation to do exploration and development in the mineral domain, such as is being done in Quebec, Manitoba and Saskatchewan. We should not be dragging our heels, as the present Minister of Natural Resources is doing, even though he had stated about a year ago that he will move in this direction.

I think that in the next five or 10 years, as Kierans has said, all further exploration and development will be carried on by the provinces themselves. He said:

> Efforts by the federal government to enhance its share of revenues after 100 years of neglect can only hasten a trend which is already developing. It is apparent to the public that turning over their natural resources to large corporations in exchange for the employment created to extract that wealth is not a sufficient return for their real value. They are also aware that any efforts to procure a larger share of the rent that should accrue to them by right of ownership are likely to be prolonged, frustrating and futile in the end. Negotiating with an industry that threatens at every change in legislation to pick up its marbles and go elsewhere is hardly a profitable and certainly not a satisfactory exercise.

So says Kierans. He also goes on to say that even the companies themselves are recognizing that the government is going to move in and develop these resources, because they are using their cash flows and their extra money to diversify into other industries such as pulp and paper and lumber and manufacturing and the service sectors. He says: "How else does one explain the current wave of takeovers with funds that should more properly have gone to shareholders?"

We heard the Leader of the Opposition, Mr. Speaker, and the industry itself has certainly been saying that even this tax rate that we are imposing in this bill sets up a 73 per cent tax rate. I wish to make a reply to that charge. In the first place, it is a marginal tax rate, not an average tax rate. Secondly, it is a maximum.

It is made up of the following, and I am giving you a summary that I have taken from Stat. Can, 61208 for 1970. It gives a general indication of the importance of some deductible items for metal mining companies in Canada. The figures that I use are for 1970:

The profits on the books of the companies before taxes in 1970 were $883 million. From that we deduct exempt mine income of $179.6 million and other exempt income, primarily Canadian dividends, of $134.9 million, to get the total non-exempt income of $518.5 million. The industry was then permitted to deduct $106.1 million more in depreciation allowances than the actual depreciation as carried on the books of the company.

In addition, exploration, development and depletion were deducted to the extent of $175.3 million—more than actual costs in these areas as carried on the company's books. A further deduction of charitable expenses, $.3 million, was allowed; as well as mining taxes, the ones that are now disallowed by the federal government and the source of the current row, the $46.4 million, there were other deductions of $7.5 million, bringing the total to $54.2 million.

This left a taxable profit, after adjusting for prior losses, of $217.9 million on which federal and provincial income taxes of $114.5 million were paid. These taxes represent 52.6 per cent of taxable profit, but only 13 per cent of book profit.

The point comes home even stronger when it is recognized that we would object to book profit as being too low a measure, as well because one deduction in calculating book profit which one wonders whether we should consider is depletion. The resource belongs to the public, why should we compensate the mining companies for its depletion? In 1970, that item in these companies' books amounted to approximately $69 million. This raises our notion of profit to $952 million and drops the percentage paid in taxes to 12 per cent.

Mr. Speaker, we in the NDP caucus are not fooled by the smoke screen of the very powerful lobby and public relations job that has been done by the mining companies as they try to deceive the public into thinking this bill overtaxes them. We continue to believe that the concessions and privileges, even with the federal disallowance of provincial mining taxes, are too great and not necessary. Not only must the public have a greater return from our resources, but the public sector must move to real involvement in the exploration and development aspects of this industry. Therefore, Mr. Speaker, we oppose the principle of this bill and will vote against it on second reading.

Mr. Speaker: The member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a few comments I'd like to make in regard to this bill; some of which may agree with the remarks of the previous speaker

and some of which may not. There are two things—pardon?

Hon. Mr. Bernier: Does the member agree with his leader, the previous speaker?

Mr. R. S. Smith: Oh, I agree with my leader, yes.

Hon. Mr. White: That's a nice change.

Mr. E. J. Bounsall (Windsor West): As far as he went.

Mr. Singer: Well, when we get White not agreeing with White, as the members will see very shortly, that's an interesting change, too.

Hon. Mr. White: Well, any time two Liberals agree it is a minor miracle.

Mr. R. S. Smith: How many fingers has the Minister without Portfolio?

Mr. Singer: Which speech does he agree with? The question is, do they have a leader left over there?

Mr. Lewis: Tell me which two Liberals agree! Name two. I challenge the member to name two.

Hon. Mr. White: This gentleman says he agrees with his leader.

Mr. Lewis: Nonsense, a momentary aberration!

Hon. Mr. Bernier: I want to hear it.

Mr. R. S. Smith: Last week we had a couple of bills here and we had the NDP sitting here arguing among themselves, and all we could hear over here was one guy saying: "Why don't we have a half an hour to have a caucus so we can decide how to get together on something?"

Mr. Young: It was a Liberal who said that.

Mr. Singer: The member for Riverdale stood alone the other night on section 5, yes.

Mr. R. S. Smith: No, no; the liberal who sits to the left of the NDP leader?

Mr. Singer: Yes, and all his colleagues sat and glared at him.

Mr. R. S. Smith: And that's exactly what he said.

Anyway, Mr. Speaker—

Mr. Singer: Would the leader of the NDP tell us about that?

Mr. Lewis: With us it's flexibility, Mr. Speaker; there it is called anarchy.

Mr. Speaker: Will the hon. member for Nipissing continue?

Mr. R. S. Smith: Thank you very much Mr. Speaker. I am glad to see the flexibility of those people to my left.

There are two things that have happened in the past week-and-a-half or so which I think are significant in light of this piece of legislation. The first was the fact that the government, for the first time, took an equity position on natural resource exploration, but it took place outside of the Province of Ontario; that was the $100 million they put into the Syncrude deal. The second was their decision to change what has always been government policy, so that funds that came into the coffers of the province would be earmarked for specific types of programmes. This was done by the setting up of the lotteries bill; and the Minister of Culture and Recreation (Mr. Welch) has assured us that those funds are earmarked for certain things in culture and recreation.

But then we come to this bill, which in effect increases the amounts of moneys that are going to be collected from the mining corporations during this 12-month period from the $45 million that was collected last year to the $144 million the Minister of Natural Resources says are going to be collected this year. So in effect the increase is $100 million. It's very close to the amount they've already committed to Syncrude.

I for one take a little different tack than some people in the Legislature would, in that I believe that perhaps we should have some earmarked funds. The earmarked funds, the $100 million increase that is being taken out of natural resources in northern Ontario through this bill, should be earmarked to be placed in an equity position in those public companies that are extracting our natural resources in northern Ontario.

If these tax funds were placed back into northern Ontario in part ownership of the natural resource in conjunction with the private sector, we would know what the profits are because we would be the benefactors of those profits through the acquisition of our equity position.

I realize this is not good Conservative government policy. So far as I know, the only time they've taken an equity position has been in a company that's outside of the province, the Syncrude deal. But they have done that, and I think in doing that they set

a precedent that can be easily followed, in that perhaps we should set as a goal a 30 per cent to 40 per cent equity ownership position of the natural resources in the mining industry in this province to be held by the Province of Ontario.

Mr. Laughren: It is different from his leader.

Mr. R. S. Smith: No, it isn't different.

Mr. Laughren: He says it is. He says he is all for the private sector, the free enterprise sector.

Mr. R. S. Smith: I am saying it is in conjunction with the private sector. We are not scared to be in partnership with the private sector.

Mr. Young: Isn't the member afraid he is heading into socialism that way?

Mr. R. S. Smith: Does the member mean like 100 per cent? I don't say that we have to have that.

Hon. Mr. White: He is right, they don't agree.

Mr. R. S. Smith: The NDP leader said at the time of the budget introduction that this is doing nothing but calling for the total takeover of the natural resource industry in northern Ontario. That's what he said, and that's the member's leader. Does the member disagree with him? He said 100 per cent, and that is where those people all stand. Either that or they are divided. They should make up their minds what they want to do.

Mr. Speaker: Would the member for Nipissing get back to the principle of the bill?

Mr. R. S. Smith: That is the principle of the bill.

Mr. Lewis: Somehow you don't look respectful about it, Mr. Speaker. You don't look awesome enough. Can you take your foot off that stool and sit up, Mr. Speaker? You look too comfortable.

Mr. Speaker: Back to the principle of the bill.

Mr. R. S. Smith: You are not supposed to be that comfortable. I am on the principle of the bill, but I will continue anyway.

The fact of the matter is that through this bill the government of Ontario is enriching its coffers by $100 million this year over last year through the mining tax, and for the Minister of Natural Resources to sit there and see this $100 million extracted from basically northern Ontario, and with no earmarking of this money to go back into northern Ontario to assist in the rebuilding of many parts of the province there that have gone down the drain because of the continual extraction, I think is terrible.

I think we should be putting this money back into equity ownership in northern Ontario. We should be putting it back into exploration and into the development of new industries, whether they be in the primary extractive area or in the secondary industry level. I believe that since these moneys are going to be made available, if we can earmark money for culture, if we can earmark money for recreation, certainly we can earmark money for equity positions in the natural resource field and for further assistance to the areas from which these moneys are coming.

There is no question that when we move up to a maximum 40 per cent tax on profits we are moving into a large share of the extractive profits from the natural resources in that area of the province, and therefore we as a government have just as big a responsibility as those in the private sector to put something back into the parts of the province from which they are taken.

That has been the problem. That's the problem in Sudbury; it is the problem in Timmins; it is the problem right across northern Ontario—it is the problem in the minister's own riding—that those privately-owned companies have not put back into that area, and not put back into my area, anything as compared to the amounts they have taken out. When the government sets its share of that profit through taxation at 40 per cent, then that same government, this government, has the same responsibilities we feel those in the private sector have, and that's to put the money back from where they are getting it.

But this is not the case, and it obviously is not going to be the case. These extra hundred million dollars in tax funds are being used for the good of the whole province, and certainly I can't, as a provincial member, say that it is money being wasted or that it is money being badly spent. There is no question that all the programmes need funding, but on the other hand, if we can find fault with the private companies for not putting the moneys in the form of profits back into that area of the province then at a 40 per cent rate, I certainly find fault with a government which has no other programme which is going to use this extra $100 million to foster

any type of development in northeastern or northwestern Ontario.

I would just like to close by making the point that I agree with the fact that we need to take more money from these corporations. But I do believe that it's time that we as a government looked at taking that money and reinvesting it in those corporations, so that we will become equity shareholders and become direct benefactors from the large profits that are coming out of that industry.

Mr. Speaker: The member for Nickel Belt.

Mr. Laughren: I rise in opposition to this bill. I'm surprised that the last speaker adopted the very beginning part of the New Democratic programme on resources which we adopted at our convention in Sudbury in September. It's a very appropriate place to adopt a resolution on resource ownership—

Mr. R. S. Smith: It's different, though. It's using a variety of co-ownership.

Mr. Laughren: —in which we stated that we would move towards the public ownership of resources using a variety of means in the short term. Of course, that's our policy and we're very proud of it.

We are opposed to this bill, primarily I suppose because we'd be opposed to any bill that returned more from our resources to the multi-national corporations that exploit them than to the people of Ontario who own them. That's really the crunch where it comes down.

It really wouldn't matter what kind of bill on the taxation of resources that the government introduced; if it involved the taxation of resources, we would be opposed to it because of that very fact. I don't think I can be any more specific than that. As long as the government is talking about the taxation of resources in such a way that more of the revenue from those resources goes to the multi-national corporations than goes to the people of Ontario, we will stand opposed to that kind of legislation.

Mr. Lewis: That's a good rule of thumb.

Mr. Laughren: There's no other way to put it.

I don't know what further examples the government needs in terms of non-renewable resources. It has seen the example of oil and what we could be doing now with our oil if, many years ago, we had moved to control and own our own resources in petroleum. We know as well—we've had all the warnings from the mining industry—that the higher you set a tax rate on resources, the more you force the mining industry to highgrade that resource. You push them into the corner, Mr. Speaker, and that's really all that's left for them. You force them to explore and develop their ores elsewhere.

It's in all the publications that if you continue to increase taxes on resources they will have to explore and develop ores elsewhere in the world. They make no secret of that, Mr. Speaker. The whole question of the federal-provincial dispute on the taxation of resources is because the provinces left the tax room there.

The provinces stand condemned—and Ontario is certainly no exception. Ontario left the tax room there and the federal government could see that we were not obtaining what we should from our natural resources, so naturally they moved in to impose the tax. Had the provincial government been obtaining from those resources what the people of this province should have been obtaining for many years, the federal government would not have had the tax room to move in there.

We know that a Conservative government, or for that matter a Liberal government, will never move toward changing the status quo in terms of the resource industry; not because it doesn't make good sense but because that's too blatantly socialist and, of course, would alienate their friends. We understand that and it doesn't change our opposition to the legislation the government brings in.

I should remind the minister that an increasing number of Canadians—people in Ontario are no different—are feeling the way we do about non-renewable resources. And, despite what the leader of the Liberal Party says—he was quoting, not saying it himself—our non-renewable resources are just that. They are non-renewable; the minister understands that. It's not good enough to say that the products they make are in circulation out there. Those products depreciate and over a period of time they are no longer there either, just as the resource itself is no longer there.

I could quote briefly from a nonetheless reputable journal, the Canadian Tax Journal. In the July-August, 1974, edition it says:

> The view is increasingly held that the depletable natural resources must be husbanded and developed only where positive benefits to Canada would result, and not squandered by being exported in an unprocessed state or without major contributions to domestic employment and industrial development.

I want to come back to those two points in a minute—domestic employment and industrial development—because I think therein lies the real significance of our natural resources.

I know that the minister might say that this kind of taxation will achieve that, but that's utter nonsense—it does not. I would like to quote some of the Minister of Natural Resource's own statistics in terms of employment, and relating employment to the actual output of the mining industry. The last figures available on employment were from 1972; so that's why I'm using that figure, for no other reason.

Between 1962 and 1972, our mineral output—I'm talking about minerals, not quarries and so forth—was up 68 per cent, while during the same 10-year period employment dropped in absolute terms. So we have a situation where output is increasing dramatically and employment is dropping. Now, how is that increasing the development of the province? How is it making a major contribution to domestic employment? I don't know what is being accomplished by the increased output if we are not increasing either the development of the province or domestic employment— and neither is happening.

Mr. Speaker, when I witness things like the development of southern Ontario in the form of the Nanticoke development, for example, I think of a steel company coming to the government and saying, "We wish to develop a major complex there." And the government acquiesces. It does this rather than taking a strong stand on diversifying development in the province and saying, "Well, there are a couple of other locations in the province. There is Blind River, there's Thunder Bay, and we will encourage development in those areas. They are both on major bodies of water." There could very well have been this type of development in those two communities.

Of course, this government does not think the way we would think in terms of saying to the private sector, "Look, if you don't want to develop the steel companies there, then we don't give you the permit to build here. Also we will go there and build, since there must be a demand for the product, or you wouldn't be building in the first place; therefore, we would be quite happy to go into competition with you." I think the government would find that the attitude of the private sector would change considerably.

What's really happening, Mr. Speaker, is that the domestic employment is not increasing through the mining industry. Productivity is, in an extremely dramatic way, but not employment.

We see the capitalization of the mining industry in Sudbury all the time. I don't know whether the minister has ever been underground, but it is truly mind-boggling to see some of the equipment there. The size of the machines they call scoop trams is remarkable. They literally lift a roomful of ore in one scoop, and that does the work of a great many men.

I'm not suggesting, Mr. Speaker, that they shouldn't be capitalizing, that they shouldn't make it more mechanical underground and relieve men from digging with their picks and shovels. What I'm saying is that as long as that's all that happens—the increased capitalization of the mines in Ontario—then it's not achieving what we want from our non-renewable resources: namely, increased domestic employment and increased industrial development. That's not happening, and it's very simple to see why.

Mr. Speaker, just in case you might think that I was selective in my quotations by quoting the Canadian Tax Journal and quoting the Minister of Natural Resources' own statistics, I'd like to quote from the article referred to by my colleague from Timmins. The title: "Super Tax: The Impending Crisis In Canada's Mining Industry, And How It Will Affect All Canadians." This was that gem brought out by the minister's friends in the Mining Association of Canada.

In it they make three points—they make a lot more than that, but there are three that I think really put it together very succinctly. Here they are talking about the increased tax and what it is going to mean to Canadians:

> A contrived slowdown in Canadian mining development based on a we'll-get-a-better-price-later premise would force Canadian-based mining companies to accelerate their exploration efforts outside Canada. Indeed they would have no other alternative since mining companies must continue to explore to maintain supplies for customers.
>
> Once this trend occurs it tends to become irreversible. As developments proceed elsewhere, only the very high-grade mines will be developed in Canada and the industry would inevitably move away from expansion to a static position, then to a declining one. The mining communities, as well as the secondary and service industries that depend upon mining, would suffer severely.

> Jobs would be lost and disruption and displacement of large numbers of people would become a harsh fact of life.

Mr. Speaker, when my colleague from Timmins used the word "blackmail" I don't think that he was using any hyperbole at all.

The second point—once again referring to what happens with increased taxation:

> The rate of growth would slow down, then halt altogether, basically because of the extremely long lead time involved in mine development, not unusually five to seven years. Some mines currently under development would probably be brought into production even in those provinces with the highest tax rates and other restrictions, since companies would seek to recover as much of their invested capital as possible. But plans for new mines, mills, smelters, refineries and secondary processing plants would inevitably be dropped if the two levels of government proceed with inordinately high levels of taxation.

That's laying it on the line—I'll say that for them. And finally, they say:

> So far we have developed only a fraction of our potential mineral wealth. New environmentally sound mining techniques will allow lower and lower ore grades to be mined, increasing our supplies enormously, but oppressively high taxes will cause our mineral reserves to shrink so that only higher-grade ores can be economically mined. Lower-grade mineral deposits will simply be left in the ground.

There we have it in spades.

I don't want to draw any silly comparisons, but it reminded me when I read that of a university course I took one time when I was reading the translation of Mein Kampf—reading Hitler's prognostications, or actually his promises, about what he was going to do. He then proceeded to carry on and do those very things. Here the government has the mining companies telling it exactly what they are going to do if it increases taxes on them.

And what does the government do? It goes umbrella in hand to the Mining Association and makes sure it doesn't offend them any more than it has to.

I think, Mr. Speaker, what I'm really trying to say is that in a confrontation with the mining industry over taxation, the government simply cannot win. As the mining companies shed their crocodile tears, they'll higrade, they'll use their profits to develop them elsewhere, probably in the third world, and they'll capitalize back here.

I wish the principle of the bill allowed a little more broad-ranging debate, Mr. Speaker. The antics of our resources corporations in the third world make me ashamed of the fact they are resident in this province. Their exploitation in Rhodesia, in Libya, in South Africa, is reprehensible. They pay their employees well below the poverty datum line as set out in the United Nations. They are hand in hand with the apartheid rulers of those countries—

Mr. Lewis: That would never concern the minister, would it?

Mr. Laughren: —and this government does not see that as being part of the overall larger responsibility in terms of our resources. I know the profits that are earned here are used to explore and develop further in those countries exploiting the black people in the third world. Then the excessive profits they earn there, as a result of the minimal wages, are used to capitalize further back here. Round and round and round goes the capital, and never to the benefit of the working people either here or in the third world.

I don't think we can dissociate ourselves from the antics of the resource corporations that are resident here, and what they do in the third world with profits that they earn in this province.

That's really one of the things that bothers me most about our resource corporations. It is one of the reasons that I would be most happy if we could have our non-renewable resources under public ownership, because certainly then the pressure could be applied—it wouldn't even need to be applied; then there would be no case of the corporations owned here exploiting people in the third world.

I think too that the mining industry's complaint about the level of taxation is misleading. When they talk about 73 per cent taxes, as the former speakers have pointed out, they really are not talking about 73 per cent because of the exemptions. I'd like to know the maximum level of taxation that any mining corporation pays, because I am sure I'll be surprised. I think the Leader of the Opposition mentioned 60 per cent. I would be surprised if any company pays more than 40 per cent.

Mr. Lewis: How could they?

Mr. Laughren: I just don't believe it. And yet we get these publications that would do the John Birch Society justice, screaming that it's "Super Tax." They haven't convinced the people of Ontario, and I think it is a matter

of time until everybody in this country says, "Hold the line on our non-renewable resources. That's all we've got."

The PMLC is one of the former Treasurer's pet diversions, if I could refer to it as that, and nothing makes me angrier than to see the municipal officials in the Province of Ontario, particularly those municipal officials who are sitting on treasure vaults of resources, coming down here to Queen's Park with their hats in their hands. I am embarrassed for them when they do that.

At the PMLC meeting in Sudbury in the fall the mayor of Sudbury expressed concern to the former Treasurer that perhaps the new tax levels would be harmful to the mining industry in Sudbury. I can tell you, Mr. Speaker, I wasn't proud of Sudbury's mayor on that occasion. I realize that he is probably going to be a Conservative candidate in the next provincial election, but I don't think that did him justice.

Mr. Stokes: He is going to lose.

Mr. Laughren: Well, of course, he is going to lose.

And you know, Mr. Speaker, out of approximately $1.5 billion worth of production of minerals in Ontario, I see the International Nickel Co. getting more than we do in net profit—$306 million in 1974—I don't understand. I don't understand how the minister regards that as being sensible at all.

It's not a case of kicking International Nickel. It is the government that needs to be kicked. International Nickel fills out its tax forms the way it is told to fill them out. It's those people opposite who allow them to do that, and it is hard for me to understand how, at a time when record profits are being achieved, the deplorable working—

Hon. Mr. Bernier: What did the member's counterparts in Manitoba do? Introduced the bill and then withdrew it.

Mr. Lewis: As a matter of fact, they are toughening it, that's what they are doing.

Mr. Laughren: We are going to take—

An hon. member: They're in full retreat.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Nickel Belt has the floor.

Mr. Lewis: What do you mean, "Order please"? It's slander across the floor.

Mr. Speaker: Order please.

Mr. Lewis: Sid Green is even now toughening the bill.

Mr. Speaker: The hon. member for Nickel Belt has the floor.

An hon. member: Total freedom in both those provinces.

Mr. Laughren: And besides, Mr. Speaker, I am not the minister of mines in those provinces.

Hon. Mr. Bernier: The member is strong in opposition. If the member had the responsibility—

Mr. Laughren: When we form the government here—the minister thinks that this is a strong document, the one called "Super Tax"? Wait until he sees what we put out when we form the government in Ontario.

Some hon. members: Ha!

An hon. member: We won't live that long.

Mr. C. E. McIlveen (Oshawa): We'll all be dead before the NDP forms the government.

An hon. member: He'll wait a long time.

Interjections by hon. members.

Hon. W. A. Stewart (Minister of Agriculture and Food): He'll never be around.

Mr. Laughren: Who won't be around?

Hon. Mr. Bernier: The member for Nickel Belt.

Mr. Laughren: Oh, I see.

Mr. Speaker: Order, please.

Mr. Laughren: Mr. Speaker, the Minister of Natural Resources diverted me. I guess he sensed that I was going to talk a little bit about his ministry, because at a time when record profits are being recognized by the mining industry we have the kind of working conditions coming to light that are a disgrace and the Minister of Natural Resources stands condemned. The need for improved working conditions in the mines is such that the Ham commission that is going around the province now needs to be made a permanent commission. There is enough for that Ham commission to do that it can work full-time for the next 10 years. I would, of course, expand its terms of reference to include plants as well.

Hon. Mr. Bernier: What has that got to do with taxing?

Mr. Laughren: Pardon?

Hon. Mr. Bernier: What has that got to do with taxing?

Mr. Laughren: Well, I am just telling the minister that the same companies that are ripping off this $306 million a year in taxes have those kind of working conditions underground and in their plants and smelters. That's part of the problem.

The minister doesn't see a connection between profits and unsafe working conditions, does he? He doesn't seem to realize that. In one breath he says that it costs too much money to make the mines safe and the next minute he says safe conditions have nothing to do with taxation. He is trying to suck and whistle at the same time, and he can't do that.

Mr. Speaker, I drove up to Kirkland Lake on the weekend and, driving through those communities and talking to some of the people on the Saturday evening, I was struck by the similarity of complaints in those mining communities. There was a large number of people at the gathering and they represented a large number of the communities around there. They had the same kind of complaints that I hear when I go to Chapleau or Sudbury; namely, that sense of total neglect, the sense that despite what accrues to the mining companies nothing seems to be left in the community.

When I first went to Sudbury, Mr. Speaker—I was not a native Sudburian, I moved there in 1969—I was really appalled at the lack of evidence of the enormous wealth of that basin. I looked around for the office towers.

Mr. Stokes: The city hall?

Mr. Laughren: I looked around for the kind of amenities that communities in southern Ontario have. One community I have often compared to Sudbury is Oshawa, with its population, and I think of some of the social amenities in Oshawa.

Mr. McIlveen: They have better councillors down there.

Mr. Laughren: The real difference, Mr. Speaker, is that you have real wealth being created in both communities and yet the city of Oshawa, because of the nature of the development of that city and the manufacturing, has been able to provide to its citizens a higher level of amenities than has the city of Sudbury.

An hon. member: A better hockey team too.

Mr. Laughren: Now if the member for Oshawa is going to tell me—

Mr. Speaker: Order, please; order, please.

Mr. Laughren: Could we allow an interjection from the member for Oshawa, Mr. Speaker?

Mr. Speaker: If it is important.

Mr. McIlveen: There are far superior elected officials in Oshawa.

Mr. Ferrier: With the exception of the provincial House.

Mr. Stokes: That's the Pilkeys down there.

Mr. Lewis: The Pilkey influence; Pilkey, Michael Breaugh and others.

Mr. Speaker: The hon. member for Nickel Belt will continue.

Mr. Lewis: Breaugh, yes.

Mr. Laughren: That's right. We could go back a ways.

Mr. Lewis: The government will be seeing a lot of him.

Mr. Speaker: Order, please. The hon. member for Nickel Belt will continue.

Mr. Lewis: Well, who is stopping him, except the Speaker continually interrupting?

Mr. Laughren: Yes, how dare you allow an interjection from the member for Oshawa?

Mr. Lewis: His first recorded statement in the House.

Mr. McIlveen: No, I had one other.

Mr. Laughren: Mr. Speaker, probably the issue that drove it home to me most clearly was the Elliot Lake situation, where we had enormous wealth in that community, and we have seen the thanks, we have seen the rewards which the miners received in Elliot Lake. That truly crystallizes the confrontation between what is best for the people of Ontario and what is best for the mining industry.

It is remarkable that in this bill, which allows for increased revenues to the province, there is no allowance whatsoever for any of it to be returned to the community.

I am not suggesting, Mr. Speaker, that we start applying finances from where they are

obtained, because I, for one, don't believe that all revenue from liquor sales should be put back into liquor advertising or into campaigns such as that. What I am saying is that despite the fact that northern Ontario, from whence these resources come, has given this province this enormous wealth, it has received in return for it the back of the hand from this Conservative government, and that just is not good enough. If the Minister of Natural Resources really cared for the people who work in the mines under his jurisdiction, there could easily be set up some kind of trust fund by the mining companies to apply to those people who suffer from compensation problems, compensable industrial injuries or illnesses.

The Minister of Natural Resources does not see fit to do that. He obviously has not convinced the Treasurer that there needs to be something set up for the workers in those communities for a number of reasons. One, because of the high incidence of industrial diseases and accidents; two, because of the depletable aspect of that industry.

Instead of giving the mining companies a depletion allowance, it should be going to the communities. Perhaps that's one way of still allowing the depletion allowance to be recorded, but have it diverted to the community. Not the corporation tax, not the mining tax, but the depletion allowance. Surely it's insane to pay the private sector to deplete our resources. Somebody's going to have to explain to me the sanity of that.

Oh, I know what the minister will say. He'll say, "That's to allow them to explore and develop new resources." Where? In Rhodesia? But that's what's happening. I don't see any insistence that a certain proportion of the profits of the company remain in the community to develop the Province of Ontario.

Surely what we're going to see in Ontario is the continued kind of imbalanced growth that we've seen in the past. How does the government justify, in a 120-mile strip of land from Niagara-on-the-Lake to Oshawa, the kind of development that's occurring now? Thirty miles wide and we're going to have a couple of million new people in that area by 1995. In the meantime, the figures for northern Ontario are truly startling. Mr. Speaker, I recall that between 1961 and 1966, which were the latest figures I could obtain from Statistics Canada, there was an out-migration from every single region of northern Ontario.

I am not talking, Mr. Speaker, about population. Put aside for a moment natural population growth—births and deaths—and think for a moment of the number of people who come into a community versus the number of people who leave a community. In the province as a whole, something like 250,000 more people entered than left. For northern Ontario and every single geographic region as laid down by the province, there was an out-migration. When you total the out-migration figures for all northern Ontario, it comes to 52,500. That's how many more people left the various regions in northern Ontario than came into them during that five-year period.

That's some kind of redressing the imbalances of growth in Ontario. This government's attempts to balance growth and its attempts to diversify are in tatters—there is nothing left of them. Until they show some political courage and say they truly are going to provide incentives for development in the north and disincentives for development in the south, then they're not going to turn the present rate of development around. Surely that's in the best interests of the entire province.

Mr. Speaker, I'll get back to the principle of the bill. At the same time that International Nickel was rolling up these $306 million in profits, almost simultaneously the Ontario government announced the $100 million investment in Syncrude in western Canada. I started thinking for a moment of what that $100 million could do. The answer came to me in a flash, Mr. Speaker, and I know the Speaker would want me to share this flash with him. That was, that if the provincial assessment of the International Nickel Co., which is roughly $70 million, and the provincial assessment of the Falconbridge Nickel Mines, which is roughly $15 million, were added together it comes to roughly $85 million. That's the provincial assessment of their operations in Sudbury. For $85 million, Mr. Speaker, we wouldn't be buying a pig in a poke in western Canada, we'd be buying two viable mining operations in the Sudbury basin. Yet this government looks the other way when the municipal people—

Mr. R. Haggerty (Welland South): The member for Cochrane South didn't say to nationalize that, did he?

Mr. Laughren: The member for Cochrane South isn't speaking now, I am.

Mr. Haggerty: But the member for Nickel Belt is taking a different approach.

Mr. Laughren: No, not at all.

Mr. Lewis: Not at all. I will tell the member something, the member for Nickel Belt

realizes we have to get more for the money than we do; and he knows how to go about it.

Mr. Speaker: Order, please.

Mr. Laughren: The member for Cochrane South was at the Sudbury convention and voted in support of the resolution, we all did. As a matter of fact that resolution in Sudbury passed unanimously.

Mr. Lewis: That's right.

Mr. Speaker: Order, please. Will the hon. member return to the principle of the bill?

Mr. Laughren: I must say, Mr. Speaker, there was not one single resolution passed unanimously at the recent Liberal convention. As a matter of fact, there wasn't one single resolution passed.

Mr. Lewis: As a matter of fact, there were no resolutions. As a matter of fact, there was no convention.

Mr. Young: In other words, the leader is to lay down policy.

Mr. Laughren: The leader will lay down the policy at the appropriate time.

Mr. Haggerty: In the fullness of time.

Mr. Speaker: Order, please.

Hon. A. Grossman (Provincial Secretary for Resources Development): When did he lay that down?

Mr. Laughren: In his leadership eulogy.

Hon. Mr. Grossman: He laid it so flat no one will ever be able to recognize it.

Mr. Laughren: Is the Provincial Secretary for Resources Development standing up?

Hon. Mr. Grossman: I hope the member for Nickel Belt will never die. I will never be the shortest again.

Mr. Laughren: That's good enough to close on, yes. Maybe I will do that.

I couldn't close though, without making a plea, and that is to have, for the first time, some kind of committee or organization set up within the Ministry of Treasury, Economics and Intergovernmental Affairs to take a serious look—I don't think it has ever been done—at the problems of the resource communities and whether or not it is possible to divert a portion of revenues from the mining corporations to those communities.

At one time there was something called mining revenue payments. That was not a tax, I don't think, on the mining companies. That was just a diversion of provincial revenues to the communities. That was done away with, and we now have something called resource equalization grants.

But the word "grant" goes down the wrong way with me. I really find it remarkable that all those communities in northern Ontario are still coming down here and pounding on the Treasurer's door, month after month after month. I would like to know, Mr. Speaker, just what the regional chairman of Sudbury's annual airplane bill is between Sudbury and Toronto. I can assure you there are not very many weeks he is not down here; and the reason is always the same, he either has a cap or a tin cup in his hand.

Hon. Mr. Grossman: Does the member mean he didn't come back with any money?

Mr. Lewis: If the provincial secretary gave him the money he wouldn't have to keep coming back.

Hon. Mr. Grossman: They are not going back with any money?

Mr. Laughren: They are going back with some money, but does the provincial secretary know how they are getting it? By pleading with the government despite the fact that we sit on a virtual treasure vault of wealth in the Sudbury basin.

Mr. Lewis: If the government gave him the money he wouldn't have to sue Jonathan Manthorpe, for heaven's sake.

Hon. Mr. Grossman: He never got to it in the first place.

Mr. Speaker: Order, please. I wonder if the hon. member for Nickel Belt would return to the principle of the bill?

Mr. Laughren: Yes; well that was an intriguing interjection and I really would like to comment on it, but I will restrain myself.

Mr. Speaker, this bill still provides too many exemptions. The private sector obviously is still paying the piper because it is obviously calling the tune. It is not enough. We feel this government is not acting in the best interests of the people of Ontario, and we suspect that it is because their commitment to the private sector is greater than their commitment to the people of Ontario as a whole. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, in connection with these mining tax amendments, I would like to make a few comments with regard to facts I think should be carefully considered by the government with regard to any changes in the mining tax situation.

I have heard a repeated reference tonight to the big tycoons and the multi-national corporations. I have heard a constant reference to these in a manner that doesn't seem to really relate them to the individuals in this province. I think we should remember that they really represent, in their total ownership of these mines and what they get out of it individually, a very small minority of the actual ownership and benefit of mines. The vast majority of the ownership and benefits are in the hands of hundreds of thousands of individuals who have life insurance, who have moneys in pension funds, who have mutual funds or directly own shares through the investment of their savings.

The mining industry and the more remote parts of Ontario have been developed by enterprising prospectors and also enterprising people with savings. Instead of buying colour TV or other consumer goods or whatever are the popular goods of the day, they invested their savings hoping they could gain and have something for the future, and in doing so they opened up our north country.

Mr. Ferrier: The member should say "in addition to" rather than "instead of."

Mr. Deacon: The fact is the alternative would have been for us to invest our own tax funds, our government dollars in the enterprise. I haven't seen evidence in any province, or any part of this country or any other country, where a government enterprise has really given any sort of efficient or effective means of developing any sort of resources.

Mr. Young: Less than 10 per cent of the people own shares.

Mr. Deacon: The member is talking about less than 10 per cent of the people owning shares. He is not correct. When we talk about investment, a large number have shares through their life insurance premiums and their pension funds, particularly those two areas are a major source of savings in this country.

Mr. Young: Oh, but they get no benefit out of those.

Mr. Speaker: Order, please.

Mr. Lewis: Does the member realize that when BC bought into West Coast Transmission the share value went up?

Mr. Speaker: Order, please. The hon. member for York Centre has the floor.

Mr. Lewis: If we bought a controlling share of International Nickel, we would get a better return.

Mr. Deacon: I understand the point of what they're saying, and whether they interfere or not we'll get to that later on, as to what we might be doing to improve the confidence of investors and where government can ensure that it can have a better understanding and a better share of what comes through.

I want to point out, though, that private enterprise is more than just International Nickel or Noranda or these big outfits. There are a lot of small outfits and there are a lot of small people who are effected by whatever we do to them.

I think it's important that we realize when we set rules we should set rules that are not changed without pretty careful consideration of what those changes will do. After all there are some major risks involved in any sort of development, whether it be in mining, resource development or in other types of development.

To have a standard of living in a country we should be setting the rules, and I certainly agree the rules should include proper concern for safety and proper concern for reinvestment of funds in the community. I don't disagree with those factors. And they should have a proper rate of tax; but let's set those things and don't drastically change them and upset the confidence of people who put up their savings in the middle of the game.

After all, it takes an average of about $25 million to find a mine. Sometimes they've been lucky and have found one with a few thousand dollars, but that's very rare. It certainly is rare nowadays. It takes another good many millions of dollars—hundreds of millions in many cases—actually to get that thing into operation and get it producing and getting the dollars out to the investors.

The next thing we must remember is the very major changes in commodity prices. Last year when the former Treasurer brought in this tax change proposal the price of copper was $1.50 and he thought it was going to go higher. Where did it go to? It went to 65

cents in the matter of a few months. That's quite a change in price. What had happened in the meantime is the same thing that is happening to aluminum and to several other metal commodity prices. There has been a major change in the markets in that period.

Hon. Mr. Grossman: They should have kept the member for High Park out of it. If they had kept him out of it, it would have been more stable.

Mr. Speaker: Order, please.

Mr. Deacon: It is a very soft market in aluminum and sales have dropped away off. Everything like that is subject to volatile markets and we must recognize that. That's the second risk to which investors have to give consideration.

When we bring in sudden changes in taxes so that we do get well over the level of tax that was taken into account when a new mine is developed, then I think we have to recognize what we do to the most important people in this, that is those who put their money at risk, whether through pension funds or through life insurance policies or directly. Because here we have today many pension funds which are in jeopardy because the value of their securities have plunged—sure they've plunged because of the general market levels and investor confidence in the world—

Mr. Young: The member is talking about free enterprise, so-called.

Mr. Deacon: —but I am talking about the factor you have to have in every situation when you've got to liquidate funds and provide funds—

Mr. Young: It is a free-enterprise system—

Mr. Lewis: The member for York Centre is the only man who can make the Minister without Portfolio appear left of centre. I cannot believe this.

Mr. Deacon: Maybe so, maybe so.

Mr. Lewis: The Liberals are so right wing I can't believe it.

Hon. Mr. Grossman: I just told him that.

Mr. Deacon: The NDP's idea is that the only way a government can ever develop something is for—

Mr. Lewis: I cannot believe that the province will move to the right.

Mr. Deacon: —the member for Scarborough West to be controlling some enterprise.

Mr. Speaker: Order, please.

Mr. Lewis: You don't have to control it.

Mr. Deacon: The member doesn't realize that this country has been built by enterprising people who have a choice—

Hon. Mr. Grossman: I just told him that.

Mr. Lewis: Did the minister just tell him that? I can't believe this. Day in and day out—

Mr. Speaker: Order, please, the hon. member for York Centre has the floor.

Mr. Deacon: Right now we have a situation where a major mining company, like Noranda for example, which is selling at five times its earnings—in order for it to raise new money for new development it would have to have a profit of 40 per cent before tax if the tax rate was 50 per cent. That certainly is an impossible thing for us to have to see in the way of a potential return to justify something—

Mr. Lewis: Now it is in defence of Noranda.

Mr. Young: What are Noranda's reserves?

Mr. Deacon: The member thinks of reserves in terms of cash on hand, doesn't he? They don't have cash on hand. Reserves have to be mined before they get the cash out of it. They have to be developed and sold. Insofar as all these things are concerned—whether it's the oil companies or the mining companies—they don't always have the cash on hand to do all the things that the member thinks they should be able to do because they have millions or hundreds of millions on their balance sheets. They have to go and raise dough in the markets—

Mr. Lewis: Good Lord, it is just incredible.

Hon. Mr. Grossman: You can't tell—

Mr. Deacon: I think it is incredible that the member thinks that magically somebody is going to—

Mr. Stokes: Boy, does this member ever make the Tories look good.

Mr. Deacon: Maybe I make them look good.

Mr. Speaker: Order, please. The hon. member for York Centre has the floor.

Mr. Young: Just keep him talking and you are going to reverse the thing over there.

Mr. Singer: A few lines from the member for Scarborough West and off they go.

Mr. Deacon: That's right. My colleague from Nipissing pointed out to us an approach that I think should be considered by government.

Mr. Lewis: Stop taxing—

Mr. Deacon: That is that we start to invest the proceeds we get from royalties in the shares of the companies themselves—

Mr. R. S. Smith: That is not what I said.

Mr. Lewis: No, I said—

Mr. Deacon: —and have a government interest in them—buy into them. We've suggested that in a select committee report on the mining industry and I think that we have seen evidence of where this has worked very successfully to the profit of government and to the public and the shareholder.

This is in the case of British Petroleum and its development over the last 60 years or more. In 1914 the then Anglo Iranian Oil Co. found itself in severe financial difficulties and the UK government invested funds which gave it a 50 per cent ownership interest. At that time the government agreed that it would be a shareholder but it would not interfere with the operations of the Anglo Iranian company which is now called British Petroleum. It had a veto right over the appointment of the chairman and chief executive. It appointed two directors to sit on a board of about nine or 10, and it left control with the private enterprise part of the operation.

BP as a result has not been the normal type of state-owned, stifled operation—it's been a very enterprising and very successful operation. At the same time it has given the public, the owners, the citizens of Britain, a very profitable source of income over the years and one which has also given the government a greater understanding of what is going on in the oil industry itself.

To my mind this is an important approach that we should consider in order to build up the knowledge government has about what's going on in industry—whether it be the mining industry or any other type of industry. At the same time it would establish a rapport and a communication between government and private enterprise that I think is essential to the future development of our country.

I would like to point out to the minister that I hope in the future the government of Ontario will think about moving itself into an ownership position in partnership with the mining industry, in the same sort of way that the government of the UK did some 60 years ago in the oil industry.

I think this is something that could give us the best of both worlds; were we can ensure that the public is getting a fair share of the rewards, but through its government is also taking some share of the risks. In that way I am sure that we all can benefit greatly.

We support this bill; it is a modification and I think the government should think in terms of the effect of increases or changes in the tax levels. It should be doing so much more in consultation with those who invest savings so that we don't have public confidence shaken to the extent that people don't want to invest any of their savings, pension funds or other income in the development of our country. I think it's a very important fact that we should take into account.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. I have listened with a great deal of interest to the debate thus far. We haven't heard from any members from the government side, including the Minister of Natural Resources, who has an interest in this taxing legislation. I had hoped that some of the members from northern Ontario, particularly from the government benches, would have got up and expressed a point of view. It's unfortunate that they haven't thus far. Maybe it's not too late yet.

I want to congratulate the Liberal Party on its ambivalence with regard to this piece of legislation. They say they support it in principle, but have a great deal of difficulty with many of the sections of the Act that they seem to be definitely opposed to.

Hon. Mr. White: No, I don't think that's fair. "Fighting Bob" came down tough on both sides of every argument he made tonight.

Mr. Stokes: Well, I've often wondered, every time I hear one of them get up to speak on a piece of important legislation like this—

Mr. Singer: Jealousy will get the member nowhere.

Mr. Stokes: —how they manage to get over the fence without hurting themselves.

Mr. Singer: The common bond of jealousy.

Mr. Stokes: One of these days a foot is going to slip and there is going to be a catastrophe.

Mr. Deacon: They are not all bad over there.

Mr. Stokes: They are jumping from one side of the fence to the other; but mainly sitting on the fence most of the time.

Mr. Haggerty: The member for Thunder Bay is going to set us straight.

Mr. Speaker: Order, please. The hon. member for Thunder Bay is speaking.

Hon. Mr. White: He doesn't listen very well, does he?

Mr. Haggerty: He's going to nationalize everything—even the government.

Mr. Speaker: Order, please.

Mr. Stokes: For anybody who knows as little about natural resources as the member for Welland South, he has a lot of gall even interjecting.

Mr. Lewis: That's right, believe me.

Mr. Stokes: He has such unmitigated gall. If there is anybody who knows less about natural resources in this chamber, it's got to be the member from Welland.

Mr. Speaker: Will the hon. member return to the principle of the bill?

An hon. member: This is the member for Welland South. The member for Welland (Mr. Morningstar) sits over there.

Mr. Stokes: Welland South.

Mr. Lewis: He just processes the resources that are found in the north.

Mr. Stokes: I think there has been only one piece of knowledge emanate from the speeches given thus far from members of the Liberal Party. It came from a northerner, the member for Nipissing. He highlighted what I think is the major problem of the mining industry from the perspective of someone from northern Ontario.

I think the Minister of Natural Resources is in a position, if he chooses to do so, to echo the sentiments of every member coming from northern Ontario—regardless of his political stripe or his political leaning.

Has there ever been an industry that has exploited the resources of the north and left so little behind? Has there ever been an industry that has done it to the extent that the mining industry has done it? If there has, I wouldn't know what industry it was.

When one looks at the inability of the communities that act as the dormitory community to tax and get a fair return from the mining activities to provide basic amenities for people who work in that industry and who provide well in excess of $2 billion worth of new wealth each year to the economy of this province, I don't have to remind both the ministers, who are having a little tête-à-tête, about the incredible problems that mining communities are having and of the mining communities that have gone down the drain as a result of the depletion of ore reserves in so many communities throughout northern Ontario.

I am not competent to speak in a personal way about all of the problems of mining communities in northeastern Ontario. I am sure that there are other people in the House who can speak with a much greater degree of conviction and knowledge, having regard to that part of the province, than I can. But I can speak with some degree of knowledge, having regard for communities like Geraldton and Beardmore, which were communities that owed their being and their very existence to gold mining operations where the ore reserves have long since gone and so have the mining companies, along with any viability that they may have hoped for.

Ways and means have been suggested on numerous occasions in this House whereby the mining companies, at the urging of both the federal and the provincial governments, could have provided for the ultimate day when the mining companies would have walked out when those ores were depleted. The mining companies didn't see fit to set up a fund to provide for some degree of viability after they moved out. The people who took up residence there and had a modest equity in their homes and the small businessmen who set up enterprises based on the mining wealth in that area have been left to pick up the pieces. And this is a government which presumably is the champion of the free enterprise system, the large and the small entrepreneurs.

I want to ask the two ministers what the former Treasurer and the Minister of Natural Resources have done to ameliorate the effects of the closing of mining operations where they have left the workers to hold the bag and to pay for whatever services they have in small communities. What has this government done to ameliorate the effects of the

closing of a mining enterprise? It has done nothing but leave the small businessmen to pick up the pieces and offered no alternative of any consequence for them to remain viable as a community.

It's very, very interesting to read an article in the Dryden Observer of Nov. 21, 1974, where they quote Mr. Norman H. Wadge, executive director of the Ontario Mining Association, when he says:

> We need development in northern Ontario and the time has come for government to implement the necessary far-reaching policies that will make the development a reality. To date, the mining industry has been by far the economic mainstay of northern Ontario and, given a reasonable stable tax climate, it will continue to be.

Hon. Mr. White: The Liberals have all left the House. The member has driven them all out.

Mr. Stokes: That's fine.

Mr. Lewis: He hasn't driven them out.

Mr. Speaker: Order, please.

Mr. Ferrier: They talked about the fact that there were so few of the NDP and now they are all gone.

Mr. Stokes: Yes.

Mr. Speaker: Would the hon. member return to the principle of the bill and never mind the interjections?

Mr. Lewis: What do you mean? He never minds them.

Mr. Stokes: I thought I was right on the principle of this bill. It's the interjections that are irrelevant.

Mr. P. D. Lawlor (Lakeshore): Why can't you keep that fellow quiet, Mr. Speaker?

Mr. Stokes: I want to know from the two ministers over there who are responsible what has the mining industry done for communities in northern Ontario after it picked up its marbles and went home? What have the two ministers sitting there with grins on their faces done on behalf of mining communities in the north whose economy was based wholly and solely on the extraction of ore of all natures, whether it be base metals, whether it be gold or whether it be iron ore?

Mr. Ferrier: They have delivered the eulogy.

Mr. Stokes: Let me point out a situation that exists—

Hon. Mr. Bernier: There is more growth in Geraldton today than there was 20 years ago.

Mr. Stokes: Oh, but it is the service industry.

Hon. Mr. Bernier: Don't play down Geraldton all the time.

Mr. Stokes: I am not playing down Geraldton, I know Geraldton very well. I know Geraldton a lot better than the minister does. Does he know what the prime industry in Geraldton today is?

Hon. Mr. Bernier: Forestry.

Mr. Stokes: No, it isn't. The biggest single employer of manpower in the town of Geraldton right now is education.

Hon. G. A. Kerr (Solicitor General): All right, we can take credit for that.

Mr. Stokes: Getting back to the taxing structure in the Province of Ontario, I will tell the minister what the single most aggravating problem of the people of Geraldton is. It is the dormitory community for over 400 woodsworkers associated with the forest industry, but their tax mix is just simply scandalous. They can't afford all of the social amenities that they have a right to but can't pay for, because of their inability in the first instance to tax the gold mining industry and in the second instance their inability to tax the forestry industry. They are still a dormitory community as they were for the gold mining industry. They are now the dormitory community for the forest products industry and they don't get a penny in direct tax from it.

Let me ask the minister how much easier it would have been for communities like Red Lake, a gold mining community, that owes its existence wholly and solely to the ability of those miners to extract ore at a profit, if they could tax the mining industry. I want to ask the minister how much the residents of Red Lake are paying for water and sewer. Could he please tell me?

Hon. Mr. Bernier: I believe it is under $200 a year.

Mr. Stokes: It is my understanding that it's just a little over $300 a year, Mr. Speaker. Those are the figures that were provided me by the Ministry of the Environment under the provincial water and sewage plan.

How much easier would it have been for those people to underwrite the cost of providing basic services if they had the ability to tax the mining industry in a way that they too would bear their fair share of the cost of providing services to their own workers. Let me ask the Minister of Natural Resources yet another question.

Hon. Mr. Bernier: There is only one mine in the municipality of Red Lake and that's been there for only a short period of time.

Mr. Stokes: I am talking about the area known as the Red Lake gold mining camp. It's Balmertown, Cochenour and Campbell-Red Lake. I am talking about the people who live in that group of communities and their inability to tax directly or through funds provided by this government. At one time in our history we had the mining revenue payments. As inadequate as they were, at least they had something on a per capita basis that provided some stability for them.

Hon. Mr. Bernier: On a point of order, Mr. Speaker, could I just correct the hon. member? He is leaving a false impression with regard to the municipalities of Balmertown and Cochenour. The Cochenour community was established by the Cochenour Willans gold mine. I would invite the member to go up and see just what that mining company has done. A complete townsite was established by the company itself, a modern arena with artificial ice was completed, and special emphasis was given to assisting our native people.

The townsite was totally constructed by the mining company, the Cochenour Willans Mine.

Mr. Laughren: The minister is defensive for them, isn't he? He sure defends them well.

Mr. Singer: This is not a point of order at all. What point of order is he talking about?

Hon. Mr. Bernier: Go over to Balmertown and see that community and its improvement district. It's one of the most modern communities in the Province of Ontario—again, assisted by the mining industry. But to sit there and say they're not doing anything is entirely incorrect and I have to correct that.

Hon. J. W. Snow (Minister of Government Services): Right on. Right on.

Mr. Laughren: Isn't he sensitive? He is so consistent.

Mr. Lawlor: If the minister wishes to join the debate he will have an opportunity.

Mr. Speaker: Perhaps the hon. member might continue his remarks?

Mr. Stokes: Thank you, Mr. Speaker. I am saying to the hon. members over there who think this is a great Act that they haven't even scratched the surface in tapping the available wealth that's generated by those residents of those communities, those who actually work in the mining industry. They haven't even begun to tap the amount of wealth that is available to provide basic amenities for those people who are responsible for creating that new wealth.

Let me refer the House, Mr. Speaker, to a conference that was held recently in Quetico Centre, about 10 days ago, when the topic of conversation and our terms of reference were to outline our manpower requirements between now and 1980, as it pertains to the mining industry, the forest products industry, the tourist industry and the service industry. We had representatives from all of those industries. We had mine managers, we had pulp and paper managers, we had entrepreneurs, we had representatives from all of the major communities. And they were unanimous—they were unanimous—in the conclusion that both governments, federal and provincial, and all of the companies involved, if they were going to provide a stable work force, were going to have to pull up their socks.

We had people representing the mining company who said they had failed, that they hadn't lived up to their obligation to provide a proper working environment and proper social amenities in their communities. The forest products industries came to the same conclusion. The elected representatives of all of the communities there said the same thing. There was a unanimous consensus that all of the companies had failed to provide a proper working atmosphere, not only to attract but once they did attract to retain the kind of people and the numbers of people, whether they be professional, skilled or semi-skilled, in order to provide for the tremendous amount of expansion we are capable of achieving in northwestern Ontario.

It may not be common knowledge to everybody in this House, but we've got over $2 billion in new expansion on the drawing board. A good deal of it is based wholly and solely on our ability to exploit, in an orderly way, both our mineral and our forest resources. If this government isn't going to take it upon itself, first of all to collect the

wealth, and then once it collects it, to retain it and direct it back into the north from whence it came, it isn't going to have the degree of development that northwestern Ontario is capable of achieving.

These aren't my words, Mr. Speaker. This is a consensus that was arrived at in discussions with officials from mining companies, with officials from pulp and paper industries and a broad consensus of the private sector, in co-operation with all of the municipal officials in northwestern Ontario.

All I'm saying is that if we are going to achieve those aims, if we are going to achieve the degree of development we're capable of achieving in northern Ontario, we must provide services and social amenities in those communities, and the only way we're going to be able to achieve that is by us, through this government—and when I say us, I am talking about everybody living in northwestern Ontario, and I am sure the argument is equally valid in northeastern Ontario. If we are going to satisfy those who are presently living in northern Ontario, and those who we hope to attract to northern Ontario, the government is going to have to provide a quality of life that is at least equal to and better than is available any place in the Province of Ontario.

The only way the government is going to achieve it is by extracting from our extractive industries a sufficient amount of capital in order to be able to achieve those ends. They are not doing it at the present time; and if the government feels that it is getting a fair share of the mining activity in northern Ontario at the present time, it means that its priorities are way out of whack, because the quality of life in many, many areas of northwestern Ontario is going downhill at the expense of increased industrial and commercial development in other parts of the province that really don't need it. It is only adding to the problems and the frustrations of gathering large numbers of people in a relatively few centres down around the "golden horseshoe," and it is going to come back to haunt this government.

I am saying the government has an opportunity to reverse this trend; to divert that development up into northern Ontario where it is badly needed. I suggest the government do that by its taxing methods. It has it within its power to do it. The government has fumbled the ball up until now.

The only way it is going to accomplish that—and it is something it is going to have to accomplish, or some other party will do it—is by rearranging its priorities in order to get a fair share of the economic wealth that is being created daily by those workers in the mining industry in northern Ontario and diverting it back up to provide a quality of life that will make it more attractive for them to continue to live there and to attract even more numbers to live there to take care of the expansion that is on the drawing board. That's the only way this government is going to get northern Ontario out of the doldrums and into the mainstream of social, economic and cultural development within this province.

I just have two other small comments that I want to make, and this is in reference to the complete neglect of the plea of the very, very small mining company in the Province of Ontario at the present time. This government doesn't talk to any of the really small ones. I know there is something in there that says the first $100,000 are tax free, but does this government know that most of the major finds in the Province of Ontario at the present time weren't found by these great big, sophisticated companies like International Nickel, Noranda and Falconbridge? They were usually found by some little guy going out and scratching with a pick and shovel. He would come up with what looked like an interesting bet. He did all the groundwork and then, after it had almost proved itself, some big mining company came in, took it over and developed it.

Hon. Mr. Bernier: What have the feds done about that?

Mr. Stokes: I don't know what the feds have done for that.

Hon. Mr. Bernier: Killed them with their taxation policy.

Mr. Stokes: What I am saying is if this government is really and truly and sincerely interested in getting greater mining development in the north, it has to pay more attention to the little guy. And when I say the little guy, I am talking about the individual prospector.

Hon. Mr. White: This bill does this.

Mr. Stokes: Pardon?

Hon. Mr. White: This bill does this.

Mr. Stokes: No, it doesn't.

Hon. Mr. White: Yes, it does.

Mr. Stokes: No, it doesn't. There is not one penny of incentive for an individual prospector.

Hon. Mr. White: This is a tax bill which allows for a big write-off of preproduction expenses, which we have never done before.

Mr. Stokes: That's assuming that he has got $50,000 or $100,000 of his own money to go out and do it.

Hon. Mr. White: It is a thoroughly good mining tax.

Mr. Speaker: Order, please. Does the member have further remarks to make?

Mr. Stokes: Yes, I have a few more remarks to make.

Mr. Speaker: Would the member care to move the adjournment of the debate?

Mr. Stokes moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. White: It lowers taxes on all mining companies in the Province of Ontario with an annual profit of less than $1.3 million. Why doesn't the member read the bill?

Mr. Laughren: The minister will get his chance.

Hon. Mr. Winkler: Before I move the adjournment of the House I would like to say that tomorrow we'll proceed further with the consideration of this particular bill. There will be two others; there will be Bill 179 and Bill 118 to deal with, then the conclusion of the budget debate and the bill in accordance with that debate. I would assume we could look at something like Thursday, if the House feels that way, for prorogation.

Mr. Breithaupt: Could I ask the House leader before adjournment if any consideration is given to sitting on Wednesday in case that day would be necessary, depending on the outcome of the debate?

Hon. Mr. Winkler: Unfortunately I have to inform my friend that the cabinet will be meeting in Oshawa on Wednesday.

Mr. Lewis: There goes that seat!

Mr. Speaker: Order, please.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 11, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, earlier today some students from North Toronto Collegiate had a tour of the legislative buildings. They are in the west gallery now, accompanied by their teacher, Mr. Batt. I know the members here would like to join with me in giving them a welcome.

Mr. Speaker: Statements by the ministry.

RESTRUCTURING OF PUBLIC UTILITIES

Hon. D. R. Timbrell (Minister of Energy): Mr. Speaker, I am pleased to announce the approval of guidelines for the restructuring of electric utilities in areas or regions covered by restructured local government. The guidelines emanate from the report of the government committee on the restructuring of public utilities chaired by Mr. William Hogg, president of Great Lakes Power. The committee included representation from the Ontario Municipal Electric Association, the Provincial-Municipal Liaison Committee, the Association of Municipal Electric Utilities, the Ministry of Treasury, Economics and Intergovernmental Affairs and Ontario Hydro.

Mr. Speaker, the committee is to be complimented on the resolution of many contentious issues which heretofore have hindered the restructuring of electrical distribution systems in areas now served by regional government.

In those regions where local authorities wish to proceed with the restructuring process, I intend to call meetings of representatives of the municipal governments involved, the electric utilities, Ontario Hydro and other interested bodies, with a view to expediting arrangements for the quickest possible resolution of the situation.

I wish to emphasize that the initiation of restructuring will be at the local level. We will only take part in restructuring studies and programmes when we are invited to do so by the local authorities. Recognizing that in the future other counties may wish to inaugurate studies leading towards overall restructuring, we will be available to participate at their invitation.

In some of the regions affected I understand that exhaustive, detailed studies have already been conducted, by Ontario Hydro and in some cases the local utilities. Much groundwork has therefore already been done which could simplify and expedite the process of restructuring.

The guidelines call for maximum input at the local level to ensure that any restructuring of utilities is carried out to best serve local interests. Equitable rate structures for all customers within the region would be a primary objective.

The guidelines allow for local discussion on the question of appointed or elected officials. I recognize that some of the guidelines suggested by the Hogg committee may indeed not receive local support. The government makes it clear that consideration will be given to alternative solutions put forward by local authorities in support of an early resolution of the problem.

I am assured by Ontario Hydro that the corporation stands ready to assist local utilities and municipalities with necessary technical advice and support.

I am tabling today a statement entitled "The Restructuring of Public Utilities" which describes in detail the guidelines related to restructuring of public utilities.

Mr. A. J. Roy (Ottawa East): When are we going to hear the minister on energy policy?

ADVISORY COUNCIL ON PHYSICALLY HANDICAPPED

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, it is with great pleasure that I announce today the establishment of the Ontario Advisory Council on the Physically Handicapped; and it is with pride that I tell members that the chairmanship has been accepted by Mr. Edward Dunlop, the distinguished former member of this Legislature.

Mr. Speaker, more than half a million Ontario residents are physically handicapped and more than one third of them have a very

severe disability. They are in every age group and in every income group.

The council, with its chairman and 18 members, will provide a direct voice to government. It is our intention to seek the advice of those, who through no fault of their own, encounter problems with many of the facets of life which the rest of us take for granted.

Some of those who will serve on the council are physically handicapped. All of them have worked on behalf of the handicapped and have shared in their heartaches and their victories.

Under the terms of reference, the Council for the Physically Handicapped has been asked:

1. To advise the government of Ontario on matters pertaining to the well-being of the physically handicapped.

2. To further promote the development and creation of opportunities for self help for the physically handicapped to their satisfaction and advantage.

3. To review current policies which have a bearing on handicaps involving the areas of education, employment, rehabilitation, income maintenance, health measures, services and facilities—including government—housing, transportation, recreation, guardianship and other related services.

This is the fourth advisory council appointed that reports through me as Provincial Secretary for Social Development. I am confident that the members of this council, like those on the Status of Women, Multiculturalism and Senior Citizen Advisory Councils, will help us to find solutions to their problems in their own way.

Mr. Speaker: I recognize the member for York North.

Mr. W. Hodgson (York North): Mr. Speaker, it has just been drawn to my attention we have a very distinguished guest in our galleries today. Present in the visitors gallery today, along with his fellow students from Earl Haig Secondary School in North York, is Howard Kotchie, who at the age of 13, in the year 1973, competed for and won both the Ontario provincial and Canadian national championship for singles 10-pin bowling in the bantam division.

Howard was born in North York on Sept. 4, 1959. He intends to compete this year for both championships and has already qualified in the preliminary competition. He is a fine example of our Canadian youth on the move.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, just while we are in the mood, I know you would like to welcome a former colleague and friend of us all, Mr. George Bukator, the mayor of Niagara Falls.

Mr. Speaker: I am sure we would.

Mr. R. F. Nixon: Mayor of all the people.

Mr. Speaker: Oral questions.

The leader of the Opposition.

SALES TAX ON AUTOMOBILES

Mr. R. F. Nixon: I would like to put a question to the Minister of Revenue. Is he prepared to change his policy statement yesterday which indicated he would not refund the sales tax on the cost reduction portion of the automobile sales, in view of the fact that recent statistics show that unemployment in this province has jumped from 4.6 per cent to six per cent in one month, twice as big an increase in unemployment as any other province?

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, the application of the tax in cases like that, I would suggest, would have —well, I suppose I would want to leave that perhaps to the judgement of others, such as the Treasurer (Mr. McKeough), but I would expect it would have little if any impact on the transaction.

Mr. Roy: Ah, that's wrong. It's about $35.

Hon. Mr. Meen: That is as to whether the transaction is completed or is not completed.

Mr. E. R. Good (Waterloo North): How would the minister know?

Hon. Mr. Meen: I have learned there is another way in which at least one company, I understand, has been able to accomplish the same end as suggested by the hon. member, namely by rebating the money through the dealer for the reduction in the sale price of the vehicle. On that basis then, the net cost of the vehicle is the amount upon which the tax is based, rather than the larger sum.

The companies that have taken the other route are of course dealing in a third-party relationship, and my ministry doesn't have the audit facilities to get involved with determining whether in fact there has been a sale price at a lesser amount. By the terms of the Retail Sales Tax Act the sale has taken place at the larger price, and I don't think I would be in a position to treat those any differently. There is a mechanism though, as I've indicated, which at least one company is following by way of that rebate.

I hasten to add that in doing it that way, it strikes me that it might be prejudicial to the purchaser if he is endeavouring to finance the purchase of that vehicle to the full extent. If, for example, the financing company behind the transaction is prepared to go to say, 80 per cent of the sale price, and if the sale price is reduced by the $400, $500 or $600 rebate, then the extent of the financing would also be reduced. However, if the transaction is completed in the other manner at the larger price, on which sales taxes of course then have to be calculated, but then the purchaser receives his rebate direct from the manufacturer, that rebate has not influenced his arrangements for financing. So it might be for that reason—perhaps there are others—that some of the manufacturers have chosen to take the direct route from manufacturer to customer rather than through their own dealers.

Mr. R. F. Nixon: A supplementary: Since the minister and I and some others believe in the free enterprise system, and the car manufacturing companies are dipping into their profits to spur the sales of cars and therefore to spur employment in the auto industry, would not this imaginative minister —and he must be imaginative when we look at some of the legislation he has brought forward—

Mr. Roy: The Land Speculation Tax Act and things like that.

Mr. R. F. Nixon: —couldn't he find some procedure whereby the $35 maximum payment, which in my view he is keeping unfairly, could be returned to the purchaser? I would think that even the publicity associated with it would be a spur to car buying.

Mr. Roy: He could put his name on the rebate cheques.

Hon. Mr. Meen: Mr. Speaker, we have investigated the possibility of some kind of approach like that, but the hon. member must remember that the Act has certain definitions in it as to what constitutes a contract. This is a transaction tax, and I am afraid that living within that Act, I have not tried to find a way around it so much as to try to indicate to the manufacturers and the dealers that there is a way in which their transaction could be exempt with respect to the discount inasmuch as it could be sent back through the dealer if they wished to do it that way.

Mr. V. M. Singer (Downsview): Supplementary?

Mr. Speaker: Supplementary.

Mr. Singer: Wouldn't the minister agree there are sufficient discretions in the statute to allow him to exercise his discretions which are really designed to allow the minister to get at the real intent, the real essence and the real thrust of the transaction? Couldn't he use those discretions, which he insisted that the Legislature give him when those statutes went through the House?

Hon. Mr. Meen: Mr. Speaker, I am not convinced there is a discretion that is reposed in me as the minister with respect to that kind of provision. There is discretion in section 8 of the Ministry of Revenue Act itself to do that by way of order in council, but each one of those would have to be a specific decision.

Mr. Speaker: Does the Leader of the Opposition have further questions?

NORTH PICKERING AIRPORT

Mr. R. F. Nixon: I would like to put a question to the Minister of the Environment: Has he recommended to his cabinet colleagues that communication be sent to the government of Canada recommending the abandonment of the programme to build an airport at Pickering, or has he personally contacted the federal Minister of Transport in this regard?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, if I heard the question correctly, I have made the responses that are necessary as the member representing the riding of Ontario South; if the member cares to read the news media, he will see exactly what I have done.

Mr. R. F. Nixon: Supplementary: Since the news media prompted the question, what has the minister done in response to a quote in his personal report from the Legislature in the Pickering Post, Feb. 6, where he says, and I quote:

> That is why I strongly urge everyone in opposition to the plan to get in touch immediately with the federal Minister of Transport. It may be our last chance to express opposition.

If that is so, wouldn't he consider that he, as a minister of the Crown, has a responsibility, speaking for this cabinet, to express that view; that surely this cabinet could stop that airport with a phone call, if in fact it wanted to?

Hon. W. Newman: Mr. Speaker, the Leader of the Opposition party has asked me a question as far as the cabinet is concerned—

Mr. Roy: Answer the question.

Hon. J. W. Snow (Minister of Government Services): Just wait a minute!

Hon. W. Newman: I will tell the member this much, Mr. Speaker, the hon. Jean Marchand and his cabinet colleagues are sitting down there waffling, sitting on their fannies; they have gone through two sets of hearings. The member knows it's a political decision that has to be made in Ottawa and don't try to pin it on anybody else.

Mr. R. F. Nixon: By God, I didn't mean to turn him on that way. I would simply put a question to the minister as another supplementary.

Mr. G. Nixon (Dovercourt): Don't try that again.

Mr. R. F. Nixon: Certainly our policy is clear in this; what is the policy of the government? Do they want the airport to continue or not? What is the government's policy? What is the minister's policy?

Hon. W. Newman: We just told the member what we did.

Interjections by hon. members.

Mr. Speaker: Order please. Surely we can ask questions with a little less noise. I don't mean the noise from the members asking questions, but the surrounding noise. Is there an answer?

Mr. S. Lewis (Scarborough West): This is a rowdy place.

Hon. W. Newman: I don't really know what their policy is over there. I don't think they can ever really sort it out.

Mr. R. F. Nixon: Our policy is that it should not go forward, and we have expressed it clearly. What's the government's policy? The minister is part of the government. What's his policy?

Interjections by hon. members.

Mr. Speaker: Order please. Does the Leader of the Opposition have further questions?

Mr. R. F. Nixon: On a non-controversial subject—since he really doesn't know what their policy is—and this is to the Attorney General—

Interjections by hon. members.

PINBALL MACHINES

Mr. R. F. Nixon: This is non-controversial and perhaps almost as important. In a visit to Ryerson a week ago, it was brought to my attention that there seems to be an uneven application of the enforcement of the federal law prohibiting the use of pinball machines. Can the Attorney General tell us the status of that law as far as the application in Ontario is concerned; and why pinball machines seem to be used in many parts of the province without any problem, but we have raiding squads going down to Ryerson saying that if they are continued in use it will be designated a common gaming house or something like that?

Mr. Roy: Don't they have anything better to do?

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): I will be glad to tell the Leader of the Opposition; as long as I don't turn him on again, that's all. Under the Criminal Code, pinball machines fall within the definition of slot machines and are forbidden.

Mr. Roy: That's not what the judges say.

Mr. Speaker: Order please.

Hon. Mr. Clement: I am telling the member what the Criminal Code says. In some jurisdictions the police have been directed by the provincial authorities, who have the responsibility for carrying out the provisions of the Criminal Code, not to prosecute or lay charges under those sections.

It was drawn to my attention yesterday by a member of the House that the federal Minister of Justice had written to someone at Ryerson, I believe, positively indicating, at least from my reading of the letter, that he intended to introduce legislation very shortly to amend the Criminal Code to permit the keeping and using of pinball machines. On the strength of that letter, I wrote this morning to the federal Minister of Justice—I have had no communication directly with him on it—asking for his confirmation of that and when we might anticipate that type of legislation.

Until the legislation is amended there is no way we can preclude any law officer from

going out and enforcing those sections of the Code which are still the law of the land. Therefore, we find ourselves being placed in the position of having legislation that apparently is going to be changed, but until it is changed it is there and must be enforced by the police officers of this province.

Mr. Singer: Supplementary.

Mr. R. F. Nixon: Supplementary: I think that the answer is an important one. The thing that concerns me is why there is an uneven enforcement across the province. Certainly I can go and play a game of pinball in certain areas that I know of in my constituency, or perhaps in Ottawa itself as somebody has suggested.

Mr. Roy: Not so much in Ottawa.

Mr. R. F. Nixon: Why is there this uneven enforcement, if in fact the minister feels that he is compelled to enforce the letter of the law, even though it seems to be an ass?

Hon. Mr. Clement: I can only speak from the administration of justice side. I must say that if the law is there then I presume police forces take different views. Some feel that they won't bother, and that they can turn their efforts to other activities of law enforcement. Others feel that while it's there it should be enforced. Until such time as the federal legislation is amended, as I stated earlier, it is a prohibition within the entire country and it's up to the individual police forces to take whatever attitude they must. I am not going to place myself in any position, and I'm not going to speak for the Solicitor General (Mr. Kerr), but I'm not going to direct the Crown Attorneys of this province not to prosecute it because eventually the federal law might well be changed.

Mr. Roy: Supplementary.

Mr. Singer: Supplementary.

Mr. Speaker: The hon. member for Ottawa East.

Mr. Roy: Thank you, Mr. Speaker. In view of the fact that this has been an ongoing problem for a couple of years and that there are conflicting court decisions about interpreting the Criminal Code, doesn't the minister have anything better to do than to go and seize pinball machines? In fact if he is going to enforce the law—

Mr. Speaker: Order please. Ask your supplementary question.

An hon. member: Sit down.

Mr. E. M. Havrot (Timiskaming): Let the member see his boys in Ottawa.

Mr. Roy: I ask the minister, if he is going to enforce the law, is he going to seize all machines, including the one in the basement of my colleague the hon. member for York-Forest Hill (Mr. Givens)?

Mr. B. Newman (Windsor-Walkerville): And the Albany Club.

Hon. Mr. Clement: I didn't catch the address there. It's not a matter of having nothing better to do, it's a matter of this province being seized with a responsibility, as the member knows full well, carrying out the provisions of the Criminal Code.

Mr. R. F. Nixon: What about Sunday closing laws?

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Clement: If the member finds that section of the Criminal Code so offensive, why doesn't he put pressure on his colleagues at Ottawa to bring it into abeyance?

Mr. R. F. Nixon: That's what we're doing. We're raising it in this forum. The minister is our Attorney General.

Mr. Speaker: Order please.

Interjections by hon. members.

An hon. member: What's the Liberal policy?

Mr. Speaker: Order please. The hon. member for Downsview wishes to ask a supplementary. This will be the last supplementary on this question.

Mr. Singer: Would the Attorney General not agree that the pertinent section of the Code which relies on the judicial interpretation as to whether the particular device is a game of skill or a game of chance is open to different interpretations? Would he not be impressed by the fact that the Province of Nova Scotia not only says that that section of the Code does not apply to pinball machines, but licenses them; that the Province of British Columbia presently has declared a moratorium because its Attorney General does not believe the section can be reasonably interpreted against pinball machines; that in Ottawa there is at least one court decision which has indicated that these machines do not come under the Code; and that in Toronto there's apparently a different view? Wouldn't the Attorney General believe there should be

some consistency, and at least pause in the present enforcement of this section until there's a definitive court decision or until the section is changed?

Hon. Mr. Clement: Mr. Speaker, at this moment I'm just not aware whether any of these have gone to the court of appeal—

Mr. Singer: Why doesn't the Attorney General take one there then?

Hon. Mr. Clement: —to determine if they fall within the interpretation or definition of a slot machine. That is the key to this section. Until such time as such a decision is available, then I presume they will be interpreted in different ways by various members of the criminal branch here in the Province of Ontario.

Mr. Roy: Which the government has never heeded.

Hon. Mr. Clement: I must say that I find it somewhat difficult to accept the proposition recited by the hon. member for Downsview that the Attorney General from British Columbia has in his wisdom said: "Let's not impose the provisions of the Criminal Code because we're not sure what it means."

Mr. Singer: That's what our Attorney General is doing, Mr. Speaker.

Hon. Mr. Clement: The police of this province and the courts of this province have obviously taken different interpretations.

Mr. Singer: Nova Scotia too.

Mr. Speaker: Order please.

Hon. Mr. Clement: Until the Code is changed we're not going to place ourselves in the position of suspending any provisions of any federal statute.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. P. D. Lawlor (Lakeshore): How does the minister know if it relates or not?

Mr. Lewis: Is that Joe Dupuis in the gallery? The greatest pinball player of all time is with us today. How is that for notoriety on your first day back?

Mr. Speaker: Any further questions?

UNEMPLOYMENT

Mr. Lewis: May I begin by asking the Chairman of Management Board: Is it the intention on the part of his government to say anything, to make any economic policy statement today, on the extraordinary rise in the unemployment rate in the Province of Ontario in the figures divulged this morning?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, those are questions that concern the Treasurer more than myself. I will consult with him, but I would say not this afternoon.

Mr. J. E. Bullbrook (Sarnia): What a legacy the former Treasurer has left.

Mr. Lewis: May I ask, by way of supplementary—or perhaps I could redirect the question to the chairman of the cabinet—

Mr. Speaker: If you want to ask a new question of anyone it is your turn.

Mr. Lewis: —the Minister without Portfolio.

Mr. J. E. Stokes (Thunder Bay): The portly Minister without Portfolio.

Mr. Lewis: Can the Minister without Portfolio indicate what the intention of his government is, given the jump of 54,000 in one month in the unemployment rate in the Province of Ontario? What will the minister do in terms of the automobile industry, or perhaps in terms of job creation?

Hon. J. White (Minister without Portfolio): Mr. Speaker, I am sure that Ontario continues to be the most prosperous jurisdiction in North America.

Mr. I. Deans (Wentworth): For those who are working; for those who work.

Mr. Roy: He should tax the rebate.

Hon. Mr. White: But these particular questions must be put to the Treasurer.

Mr. Lewis: Is that the answer he is going to give to the 54,000 who are out of jobs.

Hon. Mr. White: They must be put to the Treasurer.

Mr. Roy: Why? Doesn't the minister know the answer?

Hon. Mr. White: Does the member?

Mr. M. Cassidy (Ottawa Centre): He passed that buck pretty fast.

ATHABASCA TAR SANDS

Mr. Lewis: May I ask a question of the Minister of Energy? On the basis of the

various press reports that are now emerging about the Syncrude deal – I don't know how else to characterize it – what in the minister's mind is a fair rate of return on investment which the private companies in the consortium should expect? What did Ontario enter into?

Hon. Mr. Timbrell: Mr. Speaker, during the course of the discussions there was no specific figure referred to. We recognized that, when one tries to pinpoint what the return will be four or five years from now when the oil is coming through the pipes, it is something of an academic question at this point, not knowing a number of the variables –the price of world crude among them. So it is difficult to pinpoint it at this point.

Mr. Lewis: By way of supplementary, since the Premier (Mr. Davis) said he had the statements, surely he had the Foster Research Ltd. study, which showed that the breakeven point is $7.80 a barrel, but that the commercial feasibility level, the world level, is $13.45 a barrel, so that the profits of the oil companies, whether measured on rate of return or measured on the difference, will be something in the vicinity of $200 million a year or better? Did Ontario enter into that arrangement knowingly?

Hon. Mr. Timbrell: I would have to check those figures, Mr. Speaker, to verify them, but I recall a number of figures being discussed during that day.

Mr. Roy: Was the minister there during the discussion?

Mr. J. R. Breithaupt (Kitchener): He was out getting sandwiches at that time.

Hon. Mr. Timbrell: The member must understand that our major concern, both in going to Winnipeg in the first place, and in all the meetings we had beforehand, was to ensure that the overall Syncrude project and the development of the Athabasca tar sands kept on stream.

Mr. D. C. MacDonald (York South): Even if he lost his shirt in the process?

Mr. Bullbrook: Mr. Speaker, by way of supplementary–

Mr. Lewis: Go ahead. I will follow.

Mr. Speaker: The member for Sarnia with his supplementary.

Mr. Bullbrook: Yes. Concurrent with those discussions, was any assurance requested or given for the continued provision of sweet crude to the petrochemical industry in Ontario?

Hon. Mr. Timbrell: Mr. Speaker, that is really covered by the letter of, I think March 29, 1974, from the Minister of Energy, Mines and Resources of Canada to Mr. Ian–

Mr. Bullbrook: That isn't what I asked. Concurrent with the discussions that took place, I believe a week ago today, was there, as a result of Ontario's participation, any assurance requested from the Alberta government for the continued provision of adequate supplies of sweet crude to the petrochemical industry in Ontario? I am not talking about what happened last March.

Hon. Mr. Timbrell: Mr. Speaker, I think we all went into the discussions with the assumption that that provision, as laid down by the Minister of Energy, Mines and Resources, would continue to prevail.

Mr. Bullbrook: So there was no assurance.

Hon. Mr. Timbrell: We have the assurance of the federal government.

Mr. Bullbrook: We have no assurance; we have no assurance.

Mr. Speaker: The member for Scarborough West with a supplementary.

Mr. Lewis: How did the minister manage to arrive at what the studies are now showing–a guaranteed rate of return to the oil companies of between 20 per cent and 23 per cent–which works out to an annual profit of somewhere between $257 million and $317 million; and why did Ontario engage in that kind of underwriting of the oil companies?

Hon. Mr. Timbrell: Mr. Speaker, the rate of return will basically result from the relationship of the project to the world price, whatever that will be. I can't stand here today, nor can the hon. member for Scarborough West, and predict with any certainty at all what that world price will be in four or five years, any more than either of us could have stood here two years ago and predicted what it will be today.

Mr. Lewis: Does the minister think it will come down?

Hon. Mr. Timbrell: That's a possibility.

Mr. Havrot: That's a ridiculous assumption.

Mr. E. Sargent (Grey-Bruce): A supplementary, Mr. Speaker.

Mr. Speaker: Order please. I understand there are certain documents being passed around and put on desks. I was asked whether this was proper. I glanced at it, and it's rather difficult to make a decision on.

But it was not proper, in my opinion, to have this material placed on the desks. If the sender, whoever it is, wished it to go to the members, it should be done through ordinary mail. However, I don't know who is passing it around. I ask him to cease and desist.

Mr. Lewis: What is it?

Mr. Speaker: I don't know the contents, but it would seem to me more appropriate to be sent through the mail because it's a private document. It has nothing to do with this particular House as far as the sender is concerned.

Mr. R. F. Nixon: Put it in the mail box, right.

Mr. P. Taylor (Carleton East): Mr. Speaker.

Mr. Speaker: Yes.

Mr. P. Taylor: I wonder if the Minister of Energy could confirm whether or not Ontario's initial position was to offer equity of $20 million or $50 million?

Hon. Mr. Timbrell: Mr. Speaker, our initial position, going back I guess two weeks when we met with the government of Alberta, the government of Canada, various of the members of the consortium and other potential partners, was that we would rather not be in at all if a large enough investor could be found in the private sector.

Mr. P. Taylor: What was the minister's initial offer in Winnipeg?

Mr. T. P. Reid (Rainy River): What did the minister put up for Ontario's ante?

Mr. Speaker: Order please. We have spent quite a bit of time on this question. Does the hon. member for Scarborough West have further questions?

Mr. Lewis: Is the Minister of Health (Mr. Miller) anywhere in the precincts of the House?

Mr. Sargent: Mr. Speaker, I have a supplementary.

Mr. Speaker: I just mentioned that we've spent quite a bit of time on this particular question.

Mr. Sargent: A supplementary, Mr. Speaker.

Mr. Speaker: We will allow the member for Grey-Bruce one supplementary.

Mr. Sargent: In view of the fact that Ottawa is going to lose many hundreds of millions of dollars in tax revenue because of depletion and write-offs, did the Minister of Energy in his discussions get to the point of how much Ontario is going to lose in a similar way?

Hon. Mr. Timbrell: Mr. Speaker, I would say to the hon. member that in fact Ontario is going to gain on all fronts. No. 1, we are in consort with the governments of Alberta and Canada working to ensure that the development of the tar sands proceeds, which the Liberal Party supports.

No. 2, we are ensuring that the contracts which have been let in Ontario will proceed, thereby safeguarding jobs; and we are ensuring that further contracts will be let in Ontario to produce more jobs in Ontario. So we gain all round.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: I have one other question of the Minister of Energy on this subject. What contracts have been let and will be let in Ontario? What is the exact amount and can the minister tell us the number of jobs which he predicts will be created within this province?

Hon. Mr. Timbrell: Mr. Speaker, I believe the figure let to date is about $105 million or $110 million, projected to go to $248 million.

Mr. Lewis: And what about the number of jobs?

Hon. Mr. Timbrell: I can get that for the hon. member. I haven't it readily at hand.

Mr. Speaker: Are there any further questions?

Mr. Lewis: No, Mr. Speaker.

Mr. Speaker: The Minister of Revenue has the answer to a question previously asked.

CUT IN MINISTERS' SALARIES

Hon. Mr. Meen: Mr. Speaker, on Tuesday, Feb. 4 last, the hon. member for Sarnia asked me whether a gift to the Crown is a taxable exemption and whether, therefore, ministers will get the benefit of at least 50

per cent of the donation to the Treasury with respect to their federal income tax.

Mr. Roy: We can't hear the minister.

Hon. Mr. Meen: In confirmation of the view I expressed at that time, Mr. Speaker, I've been advised that under section 110 (1)(b) of the Federal Income Tax Act, gifts to the Crown are deductible from taxable income for purposes of calculating income tax. In this regard, I refer the hon. member to the precise wording of the Act for determination of how this provision might apply in any given case.

Mr. Bullbrook: By way of a supplementary, am I correct then in assuming that although the Treasury, in right of Ontario, secures some benefit, the federal Treasury will suffer concurrent loss?

Hon. Mr. Meen: Mr. Speaker, the way in which you calculate your income tax is that you work your way down to the point where, after your allowable deductions, you wind up with a net income and then you make deductions such as this, gifts to charity and the like; and then you have a net amount that is subject to tax. The tax is calculated; then you apply 30.5 per cent, if my memory serves me correctly, with respect to Ontario tax. You wind up with the net amount of tax payable to the two jurisdictions, the 30.5 per cent being collected on behalf of my ministry by the federal Department of National Revenue and remitted to us. So in the sense that it is a deductible item, it has the same net effect as a reduction in one's salary of the amount of that gift.

Mr. Bullbrook: By way of one final supplementary, may we not readily presume, having regard to the integrity of purpose and intent of the government, that the cabinet ministers collectively wouldn't possibly regard it as a gift and seek a deduction from their income tax?

Mr. Speaker: The member for—

Mr. Bullbrook: Can we presume that?

Hon. Mr. Meen: Well, why not? I think it is a perfectly appropriate arrangement; it is exactly the same as reducing one's salary by roughly $2,025.

Mr. R. F. Nixon: Why doesn't the minister do it officially? Why doesn't he amend the statute?

Mr. Speaker: The hon. member for Ottawa East.

Mr. Roy: Mr. Speaker, my question is to the Attorney General—

Hon. Mr. Meen: Mr. Speaker, in response to the question raised by the leader of the Liberal Party, I would say, why did he hustle in so quickly with his own?

Mr. Speaker: Order please.

Mr. R. F. Nixon: Then why won't the government accept my private bill and reduce the ministers' salaries? Why won't they reduce their salaries officially?

Mr. Speaker: Order please.

Mr. Lewis: If they put it in legislation, I will participate. Now there is an incentive for them.

Interjections by hon. members.

Mr. Speaker: Order please. Both the interjection and the answer were out of order.

Mr. P. J. Yakabuski (Renfrew South): "Tiger Bob," the federal pinball.

Mr. Good: He called the government's bluff.

Mr. Speaker: The member for Ottawa East.

ROSS SHOULDICE

Mr. Roy: Mr. Speaker, my question is of the Attorney General.

Last week I asked the Attorney General a question dealing with the possible charges against Mr. Shouldice under section 110 of the Criminal Code. I recall at that time he made a commitment to the House about filing a written opinion from his law officers. In light of the fact, as I understand it, that he will not be filing that opinion, will he give us a fuller and more legal explanation as to why charges will not be laid against Mr. Shouldice in view of the evidence?

Hon. Mr. Clement: Mr. Speaker, the member for Ottawa East correctly describes some dialogue which we exchanged perhaps a week ago yesterday. I advised the member at that time that I did have an opinion from senior law officers of my ministry that in their opinion there was no evidence in which to frame a charge under section 110(2) of the Criminal Code against one Ross Shouldice. He asked me if I would table that opinion. I said it was not in writing; it was an oral opinion expressed by two senior members of my ministry. He asked, in effect,

would I get it in writing and produce it? I indicated in my answer that I would.

I then found, Mr. Speaker, that I misdirected myself and I conveyed that to the member the next day, because I am advised—I wasn't aware of this—that it is improper to file written legal opinions dealing with criminal proceedings by law officers of the Crown. It has been pointed out to me by my deputy minister that under May's Parliamentary Procedure, volume 18, that law officers' opinions in writing are not to be tabled in the House—

An hon. member: Isn't that lucky?

Hon. Mr. Clement: Lucky, lucky, lucky—which reminds me of something else.

Mr. Sargent: Tell us after.

Mr. Deans: It could have been embarrassing.

Hon. Mr. Clement: In any event, I did indicate to the hon. member that the law officers were of the opinion that no criminal charges should be laid in this matter; that there was not sufficient evidence by the unilateral finding or observing of a letter, the receipt of which has been expressly denied; and that the unilateral making of any offer would not give rise to a successful prosecution under section 110(2) of the Criminal Code.

I apologize to the hon. member for Ottawa East if I misled him, but I wish to point out that I did convey that to him the very next day when we had a private discussion about this particular matter. I was not aware of that parliamentary principle.

Mr. Roy: Mr. Speaker, may I ask the minister a supplementary?

Mr. Speaker: One supplementary.

Mr. Roy: In the light of the confusing answer that was given by the minister last week on this question—the talk of conspiracy and so on, which is certainly not obvious as pertaining to section 110, subsection 2 of the Criminal Code—and in light of the fact of the minister's answer here again today that an opinion will not be filed, and that cannot be challenged, does he not feel, as chief law officer for the Crown, that to satisfy all doubts about the political ramifications and so on, a fuller explanation or a statement should emanate from him as to why charges will not be laid in view of the evidence that exists against Mr. Shouldice?

Hon. Mr. Clement: I repeat, Mr. Speaker, that the opinion of my law officers is that sufficient evidence does not exist. Therefore, we will not use the criminal process to commence some type of an inquiry for political reasons. May I point out to my friend that if he feels evidence exists, there is nothing to preclude him from laying a private complaint against Mr. Shouldice under that section and letting the courts scrutinize it?

Mr. Sargent: Supplementary.

Mr. Speaker: No, that was the last supplementary. There are many people who wish to ask questions and they have to be given an opportunity. The member for York South has been seeking an opportunity for a question.

Mr. MacDonald: A question of the Minister of Energy.

Mr. Roy: On a point of order—

Mr. Yakabuski: Sit down. The gallery isn't watching.

Mr. R. F. Nixon: So the member for Renfrew South is here for once.

Mr. Speaker: What is your point of order?

Mr. Roy: I just want to advise you, Mr. Speaker, with all respect to the Chair, that I am not satisfied with the minister's answer and I intend to raise it under standing order 27(g) at the adjournment of the House.

Mr. Speaker: You may do so.

GAS PIPELINES

Mr. MacDonald: A question of the Minister of Energy: Now that Exxon Corp. of New York represents the third major withdrawal from the Canadian Arctic natural gas pipeline down the Mackenzie Valley, and since the Exxon share has been distributed among American gas companies whose objective will be to take the gas to the United States, what is the position at this point in time of the Ontario government with regard to support of the so-called Maple Leaf consortium—a Canadian consortium of smaller proportions but directed to meeting Canadian needs alone?

Mr. Roy: Is John here?

Hon. Mr. Timbrell: Mr. Speaker, as I am sure the hon. member for York South knows, there has yet to be an application filed before the National Energy Board for the project known as Maple Leaf or Foothills or what-

ever you want to call it. Until they do make such an application and we know exactly the economics of the project, the environmental considerations, I don't think it would be wise for me at this point to take a position in favour of one or the other.

Mr. MacDonald: Supplementary question: Since there have been previous expressions of support for the major American-dominated line, is it not appropriate for the minister to express public support for the development of a Canadian consortium—particularly since there is going to be some delay before they can proceed with a pipeline, because a federal investigation, presided over by a judge, is to look into environmental considerations and that will take some time?

Hon. Mr. Timbrell: Mr. Speaker, the expressions referred to by my colleague, I think would still stand. It's the only one that is presently before any official body. Mr. Justice Berger will begin his study, I think within the month or within two months. In addition, the Federal Power Commission of the United States begins a hearing on May 5 comparing the El Paso project and its competitor. At this time, really, Canadian Arctic is the only one before the people, and until we are given an alternative I think we have to support that.

Mr. MacDonald: Help it into existence. That's all I ask.

Mr. Speaker: The hon. member for Rainy River.

PUBLIC RELATIONS STAFF

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Chairman of Management Board in relation to my question about public relations officers in the government.

Has the minister had the opportunity to check the answer he filed in the House last week in regard to my question, which indicates that the 11 public relations officers in the Ministry of Agriculture and Food are earning an average salary of $60,000; the five in Colleges and Universities are making an average of $20,000; the one at the Ontario Science Centre an average of $51,000? Can he inform me why there is no budget shown for advertising in the Ministry of Industry and Tourism, which I understand has a budget for advertising of roughly $4 million?

Hon. Mr. Winkler: I am absolutely sure, Mr. Speaker, as a matter of fact I know, that the inference in the hon. member's question is wrong. If he wants further detailed information, he might place another question on the order paper and I would be pleased to supply it to him.

Mr. R. F. Nixon: Does the Minister of Agriculture and Food (Mr. Stewart) want to say something?

Mr. Reid: Mr. Speaker, I—

Mr. Speaker: Is this a supplementary?

Mr. Reid: No, I rise on a point of order, Mr. Speaker.

Hon. Mr. Winkler: The inference in the question was wrong.

Mr. Reid: Mr. Speaker, I asked a question—

Mr. Breithaupt: But they were the correct figures.

Mr. Reid: I placed a question on the order paper on May 16 relating to the number of public relations officers and information officers and their salaries in the various government ministries.

Mr. Good: The member should ask the Minister of Energy. He'll tell him.

Mr. Reid: I asked each ministry to provide the information. The information I got, sir, did not come from each minister. It came from the Civil Service Commission. It's completely inaccurate and completely misleading.

Mr. Speaker: Order, please. The Speaker can't rule on that. That's a matter of opinion.

Mr. Reid: My point of order is this, sir: Are we not as members of the Legislature entitled to complete and accurate information about questions placed on the order paper?

Mr. Good: That's right.

Mr. Speaker: Actually, a member has a right to ask a question and the appropriate minister has a duty or an obligation to answer it as he sees fit. I can't rule on the answers so your comments are out of order as far as I am concerned here.

The member for Nickel Belt.

SEX DISCRIMINATION

Mr. F. Laughren (Nickel Belt): Thank you, Mr. Speaker. I have a question of the Chairman of the Management Board of Cabinet. In view of the fact that it is International

Women's Year as declared by the United Nations, is it the intention of the Chairman of the Management Board of Cabinet to introduce specific legislation in the Province of Ontario that will ease the more onerous aspects of sex discrimination in this province such as a requirement that there be equal pay for work of equal value and that there be a proper network of daycare centres established in the province?

Hon. Mr. Winkler: Mr. Speaker, in regard to the first half of the question, the hon. member may be sure we are actively looking at that question at this particular point in time. The second one is not my responsibility.

Mr. Cassidy: That is a cop-out.

Mr. Speaker: The Solicitor General has the answer to a question asked previously.

DEATHS IN THUNDER BAY JAILS

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, the hon. member for Port Arthur (Mr. Foulds) asked me on Jan. 31 last regarding a death in the Thunder Bay district jail. The deceased, Vernon Nokonogas, was serving a three day sentence on an outstanding bench warrant and the unfortunate death occurred during the second day of that sentence. Following the inquest on Jan. 16, another inmate wrote to a local radio station alleging that a request for psychiatric help by the deceased had been refused by the staff of the jail. This information was not known by the coroner before the inquest into this unfortunate matter.

The question here is whether this information which has now been revealed would have made the jury come to any different decision. I have asked the chief coroner's office to consider this particular aspect of the case and make a determination whether or not the inquest should be reopened.

Mr. Speaker: The member for Windsor-Walkerville.

SUN TOOL AND STAMPING CO.

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Industry and Tourism. Has the minister, in co-operation with his colleague, the Minister of Labour (Mr. MacBeth), looked into the situation of the $55,000 or so that is owing as vacation pay to the employees of Sun Tool? These funds are apparently being held up by one of the ministry agencies, Ontario Development Corp.

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, first of all, the funds are being held up by one of the corporations reporting to the Ministry of Industry and Tourism. To put it into its very proper sequence, sir, la Banque Provinciale has the first lien on all assets of Sun Tool. Ontario Development Corp. gave them an $800,000 guarantee on the payments.

Secondly, the federal government's agency has a first right to accounts receivable. It is my understanding that in the discussions with people of my ministry and the receiver there has been no relenting by the federal agency to give up its position in relationship to any of the funds that may come into the treasury of Sun Tool over the next short period of time to meet the holiday pay requirements. It is not the responsibility of ODC, although we have been negotiating with GAAP and its operation to see what compromises we can get from them.

Mr. B. Newman: Supplementary, Mr. Speaker: Is the minister aware that in checking with the federal agencies they are willing to release the funds, but it is the minister's agency that is withholding the funds? Let's stop playing games with the $55,000 in vacation pay that is due.

Mr. Speaker: Order please. The member has asked his supplementary. Does the minister now have an answer to that? All right, the member for Sudbury.

SUDBURY HOSPITAL EMPLOYMENT

Mr. M. C. Germa (Sudbury): Mr. Speaker, a question of the Minister of Health. I am sure the minister is aware that layoff notices went out to all employees of St. Joseph's hospital in Sudbury, and I think the minister is aware that this layoff and closing of the hospital does not coincide with the opening of the new Laurentian Hospital. Will he intervene to ensure that there is no curtailment of service or employment in regard to the opening and closing of these two hospitals in the city?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I have already done so; there will be no interruptions.

Mr. Speaker: The member for Huron-Bruce.

AUTOMOBILE EMISSION CONTROL STANDARDS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker I have a question of the Minister of the Environment: In view of the fact that a year-long study by the consulting firm of Arthur D. Little Inc., of Cambridge, Mass., found that car manufacturers could give almost 50 per cent better fuel mileage with the technology they already have through redesigning automatic transmissions, by manufacturing smaller cars and be employing alternative engine designs; and in view of the renewed emphasis on energy conservation, wouldn't the minister feel that this would be a better approach, rather than trying to enforce the emission control standards which are already really unenforceable and which in all cases increase gas consumption by up to 50 per cent?

Mr. Roy: A good question.

Hon. W. Newman: Mr. Speaker, that's a very good question and a very good point that has been brought up. It comes completely under the jurisdiction of the government of Canada related to the manufacture of the vehicles. I think the member should take it to them. We are quite prepared to look at the material and if the member wants us to talk to our counterparts in Ottawa to move along with some of these good ideas, we would be glad to do it.

Mr. Gaunt: Supplementary, Mr. Speaker: First of all, has the minister got the report to which I made reference—and if not, will he get it? Secondly, will the minister, in concert with his colleague, the Minister of Industry and Tourism, pursue this matter with the government of Canada to see that this is done?

Hon. W. Newman: Mr. Speaker, I don't have the report in my hands. It may be possible that our staff has it. We will certainly get it. We will have a look at it and certainly do anything we can to improve abatement equipment as far as automobiles are concerned in the Province of Ontario. We are only too glad to try to talk to our counterparts in Ottawa, if it comes at the manufacturing level.

Mr. Speaker: The member for Cochrane South.

HOMES FOR THE AGED

Mr. W. Ferrier (Cochrane South): Mr. Speaker, a question of the Minister of Community and Social Services: When does he expect the new regulations pertaining to the make-up of the boards of management for homes for the aged to take effect, so that these boards of management will be made up of a majority of elected officials from the areas concerned?

Hon. R. Brunelle (Minister of Community and Social Services): The date they will take effect, Mr. Speaker, is April 1.

Mr. Speaker: The member for Sarnia.

COST OF EDUCATION REPORT

Mr. Bullbrook: Thank you, Mr. Speaker. I have a question of the Minister of Education, if we can get him to light for a while.

Interjections by hon. members.

Mr. Bullbrook: It is so difficult to get him to light.

Mr. Speaker: I think he can hear you while he is talking, if you proceed.

Mr. Bullbrook: Is it a fact that his ministry has had the final Hay and Associates report on the cost of education for some months now? Why has he not released it?

Hon. T. L. Wells (Minister of Education): I am sorry, I don't know what report the hon. member is talking about.

Mr. Bullbrook: The report of Hay and Associates in connection with the remuneration paid to the directors of education in the Province of Ontario, amongst other people.

Hon. Mr. Wells: I must say I am not familiar with that report at all.

Mr. Bullbrook: The minister does take care of education?

Hon. Mr. Wells: I take care of education and there are not many reports that I am not familiar with. There's a committee on the costs of education headed by Jack McCarthy, who is the executive secretary. I haven't got that report yet. We have had four interim reports, but there is still another one.

Mr. Speaker: The member for Scarborough West.

Hon. Mr. Wells: If the member, Mr. Speaker, could identify in a proper manner the full title of the report and who commissioned it, I would be happy to tell him about it.

Mr. Bullbrook: The minister hasn't made it public yet; how can I identify it in proper form?

Mr. Speaker: The member for Scarborough West.

UNEMPLOYMENT

Mr. Lewis: Could I ask the Treasurer, now that he's here, what public statement does he have to make on the dramatic rise in unemployment in the Province of Ontario within the last month? What initiatives, specifically, will he be taking in reference to the autopact in the automobile industry in this province? What jobs does he intend to generate? What does he see as the future, given the current trend?

Hon. W. D. McKeough (Treasurer, Minister of Intergovernmental Affairs): Mr. Speaker, there's no question that the rise today, both in the country and in Ontario, is disturbing to say the least. The hon. member has pinpointed one of the problems, of course, which is the drastic layoffs which occurred in January in the automobile industry, and which we estimate would account for a least one per cent of the total figures.

Mr. Lewis: They are continuing.

Hon. Mr. McKeough: No, there have been some call-backs, thankfully. In Windsor there have been some at Chrysler. General Motors called back something like 14,000 in Oshawa, Windsor and St. Catharines. So, those figures will change somewhat. Nevertheless, the situation is disturbing, although I said the other day that those in the automobile industry are more fortunate than many other members of our society, in that they do enjoy a very high rate of unemployment benefit, which is not the answer to the problem, but I simply point it out.

Mr. Lewis: What is the answer?

Hon. Mr. McKeough: What measures we will be taking, if any, will of course be a matter for the provincial budget.

Mr. Deans: Why? That's too far away.

Mr. Speaker: The oral question period has expired, I might just point out.

Mr. Lewis: That's too great a time.

Mr. Cassidy: Nothing until April?

Mr. Speaker: Order, please.

Mr. Lewis: There'll be nothing until April?

Mr. Speaker: Order, please. I point out to the House, as was indicated earlier by the hon. member for Ottawa East, he was not satisfied with the answer that was given to one of his questions, and he has given the necessary written notice to the Speaker and the matter will be dealt with at 10:30 this evening.

Mr. Speaker: Petitions.

Presenting reports.

Mr. Reid presented the final report of the standing public accounts committee.

Mr. Speaker: Motions.

Introduction of bills.

OCCUPATIONAL HEALTH ACT

Mr. Lewis, on behalf of Mr. Martel, moves first reading of bill intituled, An Act for the Promotion and Protection of the Health and Safety of Persons engaged in Occupations.

Motion agreed to; first reading of the bill.

Mr. Lewis: Mr. Speaker, the purpose of the bill is to consolidate matters dealing with the health and safety of workers, and place them under the jurisdiction of the Ministry of Labour. The bill also establishes a department to be part of the Ministry of Labour, which is responsible for research in the setting and enforcing of standards to protect workers. And is this bill necessary, Mr. Speaker, in light of Johns-Manville and Elliot Lake!

RETAIL SALES TAX ACT

Mr. Edighoffer moves first reading of bill intituled, An Act to amend the Retail Sales Tax Act.

Motion agreed to; first reading of the bill.

Mr. H. Edighoffer (Perth): Mr. Speaker, the purpose of this bill is to reinstitute section 11 of the Act, which was repealed in 1972. Remuneration from the collection of tax should not be less than $12 and not more than $1,200 per annum for each collector.

Mr. Breithaupt: Mr. Speaker, before the orders of the day may I put a proposition to the government House leader with respect to the possibility of considering that the Legislature sit tomorrow afternoon for the sole purpose of having private members make their contribution to the budget debate?

It would seem that if that could be arranged, perhaps six or eight members of the House could be accommodated and this would, therefore, work toward the completion of the business of the House along the schedule that the government House leader had suggested. If we had tomorrow afternoon available, it might accommodate a number of the members, especially those from out of town who would be in the city in any event.

Mr. Lewis: Mr. Speaker, that sounds like kind of a useful suggestion, other things being dispensed with; then the relative object of proroguing on Thursday might be reachable.

Mr. Breithaupt: I might add, Mr. Speaker, the windup of the debate could be held at a time convenient to the ministry, of course.

Hon. Mr. Winkler: I think that is a very good suggestion. I will have to inquire into the feasibility of having it done and report back later this afternoon, but I shall certainly do it.

Mr. Speaker: Orders of the day.

Clerk of the House: The sixth order, resuming the adjourned debate on the motion for second reading of Bill 111, An Act to amend the Mining Tax Act, 1972.

MINING TAX ACT
(concluded)

Mr. Speaker: The member for Thunder Bay may complete his remarks.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. When we were dealing with this piece of legislation last night, we in this party were trying to establish and to convince the portly Minister without Portfolio (Mr. White) that this was, indeed, a bad piece of legislation, a piece of legislation that didn't assure the people of northern Ontario—

Mr. S. Lewis (Scarborough West): Accent on portly. Actually it is kind of affectionate, you know, Mr. Speaker.

Mr. Stokes: I am always affectionate with the former Treasurer.

Hon. J. White (Minister without Portfolio): It is the double entendre that I worry about.

Mr. Stokes: We were trying to say on this side of the House, at least in this party, Mr. Speaker, that we felt the amendments to the Mining Tax Act in the Province of Ontario didn't return to the people in northern Ontario the kind of dollars that we felt were necessary to assure the quality of life.

I had made reference to several communities that I thought had been shortchanged in the past as a result of the inability, or the unwillingness, of this government to come to grips with the hard services that are required by many northern communities that owe their existence to the mining industry. I tried to convince ministers of the Crown over there that much more needed to be done to assure that an adequate amount of money go back to those people who are responsible for creating this new wealth, in order to provide a quality of life that everybody in this province should be entitled to regardless of where they may live.

I had spoken briefly on the inadequacy of this bill as it pertains to small mining companies. And, of course, the minister did try to convince me that there were provisions within the Act to provide for allowances, whether they be development allowances or depletion allowances, for all companies within the mining sector. When I talk to people in the mining sector, particularly those who represent that segment of the industry primarily concerned with small mines, and those are the very junior mining companies, I am told that there is nothing in the statutes at either the federal or provincial level that will provide them with the kind of economic stimulus, the kind of incentives, that will allow them to go forward and produce a viable operation.

I think it's common knowledge, Mr. Speaker, that most of the successful mining ventures in the province are brought into production by large corporations with a lot of wealth behind them. Those that are well established can afford to take the thick with the thin, the good with the bad, and survive the vagaries of the marketplace. This isn't so with the very junior mining companies, Mr. Speaker, and we think that this bill is deficient for that reason also.

In talking to individual prospectors and grubstakers, I'm told that there is nothing in this Act, or in any other kind of legislation, that will provide them with an opportunity to go out as they have done for decades and outline good mining chances and to provide them with the necessary financial ability in order to make accurate surveys.

It's well known that exploration and initial development with regard to outlining and defining of ore bodies requires very sophisticated equipment, some of it in the electromagnetic field, some of it in the magnetometer field—a lot of highly technical ap-

paratus and gadgets that the small companies and the individual prospectors can't afford.

Anybody who has talked to individual prospectors or groups of prospectors will quickly come to the conclusion that this aspect of development in the mining industry has just about had its day. It's something that I think this government and this ministry should be looking into because it is a way of life for people in the north.

A good many of the major finds that have been developed and have sustained the mining industry for a number of years were as a direct result of the activities of small prospectors and small grubstaking groups. I think they are to be commended for the work they have done in pioneering in the north, particularly in the mining field, and I think every opportunity should be afforded to them to continue in that role. I think the economy of northern Ontario in the mining industry would be much better for it.

It seems to me, Mr. Speaker, that we've been so preoccupied with bigness—by giving allowances, concessions and exemptions to the large companies—that we have failed to recognize the important role that individual prospectors and small groups have played in the development of the mining industry that we consider so important, not only to the economy of the northern part of the province, but to the economy of the entire Province of Ontario and, indeed, of Canada as a whole.

One other aspect of this bill that I think needs some consideration is sort of ancillary to the mining industry as we know it, where we are exploiting gold, iron ore and base metals. I refer to the gemstone industry. Some might equate that to quarrying rather than open-pit mining or mining by underground operations. But it seems to me, in my travels, that there is a wonderful opportunity for people throughout the province to foster and develop a gemstone industry in the Province of Ontario.

It's common knowledge that tourists, in ever-increasing numbers, are becoming interested in the rockhound hobby. We have a good deal of opportunity to assist small businesses to get started, whose basis for operation could be the gemstone industry. We know that there is a wonderful potential for that in the Bancroft area and I'm sure my friend from Hastings (Mr. Rollins), were he here, would have something to say about that. Having visited the Bancroft industry a year ago last winter, I was made aware of the quite considerable income that accrues to the people of the province as a result of the gemstone industry.

In the area that I represent in northwestern Ontario, people in ever increasing numbers are becoming interested in the gemstones that are available—amethysts, agates, gemstones of a good many kinds and varieties —that could be developed into the kind of an industry that would provide the kind of diversification and the kind of balance that we need in northern Ontario, since we have primarily a resource-based economy.

I know that our friend the Minister of Natural Resources (Mr. Bernier) agrees with me on this and I think that he's trying to do something to foster this kind of thing. I'm thinking in terms of the cottage industry in Switzerland, where they ship components out to the homes of people who are competent and skilled in the assembling of watches, and I'm thinking of doing this for our gemstone industry; where we have the components and we ship them out and we have something that is uniquely Canadian, something that is crafted by Canadians, something that we can call our own, rather than importing stuff from the orient, such as from Taiwan, mainland China, Korea, Japan, all of this two-bit handicraft that we've got on far too many of our gift shop shelves today.

I think it is high time that we should be fostering something that we have here, something we can be proud of, something that can be developed to provide a good deal of viability to many small communities, not only in northern Ontario but in eastern Ontario as well. So I would have hoped that there would have been something in here to act as an incentive to fostering this kind of thing.

As I say, in most instances it's a quarry operation rather than an underground mining operation. But, when dealing with the Mining Tax Act in the future, I hope the minister will pass this on to his successor and I hope they will take this into consideration. It's these kinds of things my colleagues and I have been speaking about when addressing our comments to this bill that I think will bring great benefit to that segment of our population and to that region of Ontario that is primarily interested and concerned about the orderly development of the mining industry in the province, and assuring that a just amount of the economic rent and a just amount of the dollars that accrue to mining companies comes back to the people who are responsible for creating that great wealth, and hopefully we can even out the social and economic benefits that we are capable of

providing to all people in the Province of Ontario regardless of where they may live.

I'm not totally opposed to this bill, but I think that the minister could have gone quite a bit farther in order to get the kind of dollars that we think are available to those people who are responsible for creating that wealth. With those remarks, Mr. Speaker, I will take my seat and allow somebody else to engage in the debate.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Speaker. I rise to engage in this debate with my hon. friend, for one reason among many, many others, but one reason only, as this becomes, I would suspect, perhaps the last opportunity in which we may cross swords, lock horns, trade punches or whatever it is that we do.

Hon. W. D. McKeough (Treasurer, Minister of Intergovernmental Affairs): There are going to be a lot more opportunities.

Mr. Lawlor: And far be it from me—a worthy foil too, a worthy foil; pace over there. He may not be as worthy as his predecessor on a large number of terms. He may have smoothed the path for him so that he just becomes partially palatable.

In the course of my few remarks on this matter before I go back downstairs to handle condominiums, the—

Hon. Mr. McKeough: There is going to be a lot more.

Mr. Lawlor: Is the Treasurer moving out of his condominium? Can't he afford it?

Hon. Mr. McKeough: I can't take it.

Mr. Lawlor: The way housing is going in the province these days, I don't doubt he can't afford it. I don't understand why he is —although I am gratified that he is—why he is sitting over there handling this particular piece of legislation.

Mr. Stokes: All alone.

Mr. Lawlor: Yes, all alone. It's been deputized to him. The Minister of Natural Resources would be the obvious one to be central to it.

Mr. W. Ferrier (Cochrane South): He is the handmaiden of the mining industry. No independence of thought over there.

Mr. Lawlor: He doesn't know anything about mining tax. Is he putting on airs? Wherefore this pretensiveness? He was as exposed as I was over a period of months there some years ago when we first became acquainted and friends—

Mr. Stokes: His claim to fame is he followed Smith.

Mr. Speaker: Would the member for Lakeshore get back to the principle of Bill 111?

Mr. Lawlor: I beg your pardon.

Mr. Stokes: He's just bidding adieu to a friend over there.

Mr. Speaker: I see.

Mr. Lawlor: Can't I give him his valedictory? The poor beggar has suffered cost enough. He did have a kind of a stormy petrel regime and regimen over there for the short time he lasted, didn't he?

As I say, why would he be handling this matter, considering the really suspect role that he performed as Treasurer? Is he performing it in a Treasurer's capacity? And do those various albatrosses that he generated still hang around his neck? No doubt they hang with that particular flair that is possessed of hanged medallions. But the bird is dead. He goes out, anyhow, with some splendour—more than he came in with, I suspect. And some of us, at least, will sorely miss him as he leaves the House.

He made a speech in New York on this one, puffing and panting and blowing himself up, so that they could see him just off the port there, from the top of the Empire State Building.

Mr. Stokes: Was that before or after Newfoundland?

Mr. J. R. Smith (Hamilton Mountain): The statue of Liberty is dead.

Mr. Lawlor: Unlike the speech to the Canadian Club of New York on Sept. 10, 1974, this is the good part of my speech —this is the accolade part. He cites that we don't adopt, in this particular form of taxation, a royalty system. He gives the reasons therefor, because of highgrading that may take place if the government so adopts the royalty system in taxation. I think one will agree it has a fair amount of worth in terms of oil and natural gas, and that type of revenue, because there is basically a uniformity of product. Whereas, in nickel or in gold mining or in the whole range of minerals, you get the second, third, fourth rate minerals in order to give the greatest benefit. If you do it on a royalty basis, you force

them just to highgrade all the way through. And you want to encourage the mining of low grade ore in this province.

That was one of the remarks that he made with which I think this party would find itself in accord. He then gets to the benefits conferred upon small companies, which my friend has ably pointed out are not all that great. Then he turns to the large companies and says this is not so; the large companies aren't going to get any benefit.

Well, I suppose that it is palatable to the Canadian Club in New York. But we over here find that this particular form of pushing doesn't quite go down. It is not so that large companies aren't going to derive considerable benefit.

Our point over here is that the government is telling us to determine what impact our new measures might have on large integrated mining companies. We analysed one company's situation and found that the processing allowance alone reduced its tax this year by more than 15 percentage points bringing its rate down to about 20 per cent. The thrust of the remarks being made over here is that, whereas the government has increased by a graduated scale certain rates with respect to the tax itself, and therefore brought in added revenues to the province, the Treasurer knows that he is pinched for money and that the expense of contemporary government is so great and omnivorous as to eat up every piece of sagacity and every turn of the tail that he possibly can wangle.

No wonder we introduce energy taxes. The minister is practically out of his mind with being distraught with respect to finding the revenues whereby to gain even a partially responsible picture of the handling of the revenues of the province to being anywhere close to the notion of balancing out accounts. That simply cannot be done and it won't be done under contemporary government in this province through the next 20 or 30 years.

This is the way the cookie crumbles in regard to taxation. And so they introduced taxes with respect to lotteries to pick up another $40 million as any measure, however desperate, to forfend against economic disaster and the failures of which the Smith committee spoke many, many years ago which are now, in effect, coming home to roost.

The government gives very great largesse indeed, as I hope to point out in the course of this debate, to the great oil companies of the province. I want to arrange my remarks, Mr. Speaker, under about five headings. The first has to do with the effective rate of the tax; the second, the area of depreciation; third, the area of exploration and development expenses, and the nodding of heads of governments in the particular area of processing allowances, which are the real crunch of the affair; and depletion allowances which are an extra piece of government giveaway and which certainly takes very little into cognizance the recommendations which are now dead and interred—not under six feet but probably under 12 ft of earth—of, namely, the Carter committee on taxation.

Touching depletion, taking the last first, if the government's intention had been to set up through taxation policy a more equitable distribution of wealth in this province, to that extent to have an enormous impact upon the people of the country as a whole, then it missed its opportunity in many regards. The spread between rich and poor, between the 20 per cent at the top and the 20 per cent at the bottom of our economic structure, remains identical.

Carter would not have done so. There would have been some form of shifting of income back and forth so that the equitabilities would have been set up and this country would have become a more just society. As the Treasurer has arranged it with his tax credits and everything else, he has simply been able to mark time. It's a status quo situation that he has achieved.

And, really, if one takes real income, the spread grows. It grows in this jurisdiction and it grows between the first and the third worlds, and we are part of the first. I see the same modalities operating in both areas and nothing is being done about it. The opportunity has come and gone and the Treasurer and the government's actions are really a damnation of what Carter sought to do. One of the areas in which he sought most to do it was in depletion; he would wipe out depletion.

I am not going to make a long speech here, which I very well might do or could do on economic rent. We spent days talking about the theory of economic rent and how out of natural resources produced in a geographical area—the heritage of the whole people—the whole people ought to participate in the benefice and that they should not be the private preserves of a very few, mostly foreigners. We talked about that. It has never come to pass. The government still retains the full depletion thing. There are roars in the United States coming from Congress — and that isn't particularly an enlightened body, by and large — with respect to depletion

allowances touching the oil companies and the offshore oil of the Mexican Gulf.

It is a scandal to behold. The government perpetuates that particular theory in this province in face of the enormous studies that have been made and the best wisdom on the matter that has been thus far achieved, In this particular regard, it is not under this particular Act, but under the Income Tax Act of Ontario a 33⅓ per cent depletion allowance is still perpetuated in force.

And then we come to the processing allowances. The processing allowances bother me enormously for several reasons—one has to do with the way in which the processing is arrived at.

The minister may recall from the old days what was said in this report—which we went over with a fine tooth comb. At 306, vol. III of the Smith taxation report to this Legislature, section 11 says: "When an appraisal is made, the mine assessor usually, but not invariably, follows a standard procedure."

Right there in that first sentence "usually, but not invariably." What kind of law is that? First of all this stuff isn't even in law. The minister brings a Mining Tax Act before us today and nowhere in the laws of the province are the rules of procedure, guidelines or anything else laid down. This is done by rule of thumb. It's as long as the chancellor's big toe. The minister has embodied it in a manual, but the manual is not part of the law of the Province of Ontario.

Hon. Mr. White: No, we have regulations ready to come forward.

Mr. Lawlor: I didn't hear the minister.

Hon. Mr. White: For the first time ever, we have regulations ready to come forward.

Mr. J. A. Renwick (Riverdale): I should hope so. They are not published yet; when will they be?

Hon. Mr. White: They will be published very shortly. It is now being regularized—

Mr. Lawlor: Well, whatever they may be, this is the hidden benefice. This is not the tip of the iceberg which shows in the minister's legislation, but the rest of the monstrous thing that lies in the sea, where the real benefits are subterraneously conferred—not to the eye of any beholder, not to the eye of any member of this House. The minister may get it into regulation; we haven't seen it; I would be most pleased to see it. If we take it out of the hands of the Minister of Natural Resources and put it into the hands of the Minister of Revenue of this province (Mr. Meen) for administration, I would feel even safer.

What they say happens presently, and that's going on right now, although some of these figures shift a bit: ". . . the mine assessor usually, but not invariably, follows a standard procedure. This consists of deducting from the sale price of the processed product the costs of processing and marketing . . ." Transportation costs are involved in that too. He sets up his little note in his notebook as to what allowances are being made under this head. Next: ". . . the portion of head office expenses allocable to processing . . ." In other words, whatever you take out that is not a pithead job; it goes right through to toilet facilities apparently. ". . . an allowance for depreciation of the processing plant . . ."

There's a depreciation allowance which is made internal to the—nothing to do, by the way, with the depreciation allowance which is granted under this legislation. It's a double depreciation, and when you add the federal government on it, Mr. Speaker, it's a threefold form of depreciation.

The report continues: ". . . and an allowance for a processing profit. The latter 'processing allowance' is generally determined by the mine assessor at eight per cent of the original cost . . ."

The minister sets up a series of different categories—in concentrating it was previously and is again eight per cent; in smelting and concentrating assets the 16 per cent remains at 16; refining and smelting going from 20 to 30 per cent; and in processing in northern Ontario, a special grant and allowance—which is something no one over on this side of the House can take exception to—a 35 per cent figure. If the latter were passed along to northern Ontario alone and the other matters not taken, it would help to generate new industrial life, new plants and at least a beginning of viability for many of the towns in northern Ontario.

Anyhow it is not all that different: ". . . generally determined by the mine assessor at eight per cent of the original cost to the operator of the assets used for processing, regardless of any depreciation that may have been claimed in respect of them . . ."

In other words, you get the depreciation and you get the allowance too, Mr. Speaker. This is something not done and not dreamed of in any other industry, and the countervailing argument against it is it takes no account of economic rent if you do it that way, but this is modified inasmuch as the

minister will not permit the allowance—I quote: . . . to be less than 15 per cent or more than 65 per cent of the profits of the combined mining and processing operations and before deducting the allowance itself. These lower and upper limits for the allowance are arbitrary devices which were adopted to ensure that not more than 65 per cent of the profits of the combined operations of marginal producers would be attributed to processing, and that, where the investment in processing assets was small relative to that in other assets, the allowance would not fall below 15 per cent of such profits. In practice the mine assessor gives the operator of nickel mines a special processing allowance in addition to the general allowances described above in recognition of what he considers to be special conditions that apply to the smelting and refining of nickel ores.

My faint recollection is that the government has altered that. If it hasn't altered that, then why in green blazes hasn't it done so? I'm not going to read the full sections of this book; it would take too long. But that was allowed under very special circumstances with respect to the chemical difficulties in extracting the nickel in the old days. It was well over 50 years ago that that was granted. I have no knowledge that it has been altered since that time; that is, that the nickel mines are treated even more specially than anybody else. A couple of years ago, I thought this subject was discussed in this House and it was indicated that there was some alteration and that they were treated precisely the same as anybody else, as they very well might be and should be in any sense of equity with respect to mining taxation.

> From 1939 to 1955, but not subsequently, the basis of the special allowance was authorized by order in council. To summarize, under this method of appraisal the value of ore at the pit's mouth is determined by deducting from the value of the processed product specified processing costs and an allowance for processing profit.

At page 328, the whole lamentable and really trying story, in terms of equity and in terms of decent taxation policy, is set out as to what the regulations do, as to the determinations that are left in the hands of the mine assessor. I have spoken on this matter previously and have read these paragraphs into the record years before, but it hasn't had much impact. It's all there. I leave it to the hon. minister and to the Minister of Natural Resources to move in on the area.

When we think that at this time in history we have gone to $140 million, and perhaps close to $200 million in revenue from mining in this province, will the minister please take into account that that may still not be enough? Why? Because the margin of profit that is derived from the mining industry, particularly the big operators and particularly in gold of recent times, has been proportionately greater in retention after taxes than before, because of an inflated world market in this regard.

I heard the minister say the other day that this is levelling out and zoning down; that's probably true, because the figures that came out today from UNESCO with respect to world inflation arising out of raw materials show that it was one per cent in the last month. It has come down from other previous figures, and that is all to the good. The fact is that they have had a great ballooning of profits which the government wanted to enter into, quite justifiably, at least as part beneficiary. I say to the minister that the companies weren't hurt in the process.

Secondly, there's the consideration used ad nauseam by the hon. minister in this House on previous occasions, that where it is a corporation profit it's basically passed on anyhow and that whatever benefits are derived from such sources and so on in terms of the treasury of this province ultimately are substantially not borne by those sources at all. Therefore, to pretend that they are in some way mulcting the mining industry, as they pretend, having given figures of—what?—78 per cent or 73 per cent taxation—what a joke, the way they compute things. They compute even without computers. A computer could never come up with answers of that kind. No machine could be so self-interested and purblind as to arrogate the facts to that particular extent.

In terms of exploration and development, this government is giving a full 100 per cent deductible allowance, while the federal government allows 30 per cent for development and 100 per cent for exploration. Again the politics of desperation prevail.

All right, suppose we said very little about that. We will say that the generation of new ore and the finding of new mines was such a vital facility in this province that a 100 per cent deduction was permissible, just, allowable, and was to be recognized and taken off the mines' profit tax. Suppose we went that far. Can't the government do something in a positive direction the other way, by grubstaking for example? Don't the companies use

the government's aerial surveys extensively? Doesn't the government make a major contribution in terms of roads and every other way of getting the prospectors into the resource?

I'm not trying to rake off the private sector; I want a mixed economy, but I want it a damned sight more mixed than we have it at the moment, and I don't want all the fruits flowing in a particular direction, or rather the basic fruits that would very well come to the people of this province. Why don't we move in the direction of doing something to subsidize exploration in the province in a direct way, and immediately, so that when the staking occurs the province will become the prime, initial beneficiary?

Nor—this is my personal position—when the times comes for development need the government do it wholly and entirely in its own hands, but it at least is there at the initial rung of the ladder, having a substantial interest, having people on the board of directors who are aware and cognizant of the wider interests of the province, the wider interests of this particular economy, rather than a group of moguls over here who are completely insentient to any public good at all as far as I can see, and who in any case live in Switzerland or the Bahamas and couldn't care less about this country as long as they can extract, as absentee landlords, the benefits from these things.

If the government participates in capital and in exploration all along the line it would have taken an immense interest, it would have been there at the core, and it would have been a guiding figure in the destiny of that corporation as it developed; and it would develop in a way that would be beneficent to all of us, including the government and the minister; because there is the root of our prosperity—it is in our natural resources and in our farm lands that the generative core exists. We are disposed under heaven in a way that possibly no other jurisdiction in the world is yet. I say that our resources haven't even begun to be exploited. The point is that they have been abnegated, neglected, let go off to private interests for too long. The whole history of the thing is one vast sellout. The book of this ministry a short time ago gave the whole history of mining in the province and what a sorry tale that is, if the minister has had an opportunity to look at it.

In the realm of depreciation we have gone from a straight line of depreciation of five per cent at least, and not more than 15 per cent, up to a figure, with respect to new plants and equipment after July 9 last year, of 30 per cent. They have doubled the depreciation and I don't think there is adequate justification for that. It is a sore point. They are trying, I suppose, to generate more employment in the province, but I just wonder to what extent that is feasible. Can the minister justify that in terms of the equipment and what not as purchased from other jurisdictions which have no impact whatsoever on employment in this province, and particularly in the mining industry? The last area which I want to make mention of is in the effective rate, going from $50,000 exempt, at a 15 per cent figure, up to a basic exemption of $100,000 with a 15 per cent base, and escalating up to, I believe, 40 per cent by tiers. That, as far as I am concerned, is not a bad move. It is, again, better than imposing royalties. The graduated straight structure permits a good deal of flexibility. I would that the minister had retained it at $50,000 and not at $100,000 tax free in the first instance, and secondly, I think that if we can't alter the processing allowance and all that is hidden therein, then we can go round to the front door and use the rate structure in this thing for the government's own purposes and for future governments of this province to bring back to the people as a whole something commensurate to what the public realm needs and requires and is justly entitled to in terms of the flow to the Treasury from our basic resources which are, incidentally, in this instance at least wiped out and never renewable.

These are the basic considerations, as it were. If this is tied into the federal picture, which I don't think it would be proper to do on this occasion, we'd get the whole, vast panoramic picture of what resource taxation looks like in this country and the unusual benefits, the usual levitations, conferred on this peculiar type of company. If that were done, then we would see the full range and impact of how inadequate and how vicious and how exploitative they are and how much of a giveaway is involved, both in this jurisdiction and in the federal realm, touching this area. If one contrasts it with what the Carter committee again would have brought into being, had it had the power, in terms of an invocation of pure conscience, a distribution of wealth in this country, then something meritorious might be accomplished.

This is a toddling step. The government always feels that it should be praised for its infant efforts, but it is only just that. Come into adolescence but don't expect maturity; that's too great a boon. We might have some form of responsibility at that stage. Just come

into adolescence with respect to this area of the economy. Enter into it personally; use Crown corporations in terms of development and fund them with some money. It will bring in fifty-fold of whatever the government has to spend in terms of what the resources of this province are and which have not been exploited.

These beggars threaten the government, cajole it and use every form of blandishment against it in terms of saying: "We're going to pull out. We're going to slow down. We're not going to do it." If that's the position they take, then the government is left no alternative. It must use its own weapons and the tools at its disposal in order to fill that gap. If that's the way they want to play the game —and this is, I think, what the government feels the particular press to be—then we have the wherewithal at our hands to take over and do it and we will also be the greatest beneficiaries of that thing at the end of the day. I think the path is clear.

Mr. Speaker: The hon. Minister of Natural Resources.

Hon. L. Bernier (Minister of Natural Resources): Thank you, Mr. Speaker. I certainly am pleased to take the opportunity to enter into this debate as the minister responsible for the administration of Bill 111 in the realm of administration and implementation. Of course, we have a very close interest and a real concern.

I was most impressed with the debate to date. I think it's fair to say that both the opposition parties, Mr. Speaker, would like to wholeheartedly endorse this particular bill. I noticed the Leader of the Opposition (Mr. R. F. Nixon) has come out flat-footed and endorsed it. I sense in the NDP a balance, a riding the fence, so to speak.

They like the idea of the graduated tax, a graduated tax that will impose, Mr. Speaker, a tax of 15 per cent on that first $100,000 of profits earned. The rate will then be levelled at a progressive rate by increasing it five per cent on each $10 million of profit earned and it reaches its maximum of 40 per cent on profits in excess of $40 million.

I'm particularly pleased that both parties have seen fit to endorse this graduated application of the mining tax up to this particular figure. I notice some indicated it should be a little higher, but in essence I think that the principle of the bill itself is endorsed—and this comes as a bit of a surprise to me.

Mr. Lewis: We didn't endorse the graduating tax.

Hon. Mr. Bernier: Read Hansard—I'm sure he'll see it.

Mr. Lewis: If he is going to bring in a tax, it should be graduated—but that's not the principle.

Hon. Mr. Bernier: This is a real diversion from the NDP's counterparts out in BC and in Manitoba—

Mr. Lewis: That's right, we believe in royalty.

Hon. Mr. Bernier: —who went the royalty route.

Mr. Lewis: That's our route.

Mr. Renwick: That's right.

Hon. Mr. Bernier: I'm very pleased, Mr. Speaker, to see this waffling or this shifting here in Ontario.

Mr. Lewis: What shifting? Why does he think we are opposing the bill?

Hon. Mr. Bernier: Because there is a definite change. The recent speaker and the hon. member for Thunder Bay, and even the member for Cochrane South indicated that they thought this was the best route to go.

Mr. Lewis: If the government is going to have a tax and it graduates it, we accept that.

Hon. Mr. Bernier: So, I just want to make the record very plain and clear that we have support in this particular field.

I just want to point out that there has been some concern and some expression that possibly the Ministry of Natural Resources is not the place for this particular tax to be administered. But I would point out that in the Ministry of Natural Resources we have the responsibility for the conservation, or the development of the natural resources of the province.

Mr. Renwick: The exploitation of them is what the minister is responsible for.

Hon. Mr. Bernier: Certainly, if we are going to manage those resources, then the best tool—as the member for Lakeshore has correctly pointed out—

Mr. Renwick: The government is not managing those resources; it has given them up years ago.

Hon. Mr. Bernier: The best tool that we have is the taxation tool.

Mr. Renwick: The best tool the minister has is not a taxation tool.

Hon. Mr. Bernier: And when one considers that, it is obvious that with the type of personnel and with the management of the resource, this particular bill should rest within the responsibility of the Ministry of Natural Resources.

I think it's very plain to point out, Mr. Speaker, that there are basically three principal stages in the mining field—of which I'm sure the members are aware.

First of all, of course, is the finding of the ore body itself—the exploration aspect. Then, of course, we have the mining itself—the extraction of that mineral from the depths—and then the mineral processing further down the line. So it requires a tremendous amount of expertise. It's a complex operation, as the member for Lakeshore correctly pointed out.

I just want to make it clear that the government of Ontario certainly recognizes a need for very special incentives, particularly for exploration and processing. I think it is fair to say that in the field of exploration we've gone some considerable distance with the introduction of the mineral exploration assistance programme. As was announced in the budget last spring, we will see a further expansion of this particular programme.

Mr. Renwick: Why is the government so slow about the expansion of that programme and the establishment of the provincial exploration company?

Hon. Mr. Bernier: In the field of exploration, Mr. Speaker, my former parliamentary assistant, now the Minister of Transportation and Communications (Mr. Rhodes), led a very ambitious committee to revise the Mining Act. This, of course, deals with the mining activities that occur prior to the actual mining operation. I'm referring to the staking and the assessment work that's required by the prospector and those involved in staking claims. This is coming forward and there will be some incentives. There will be some direction to the smaller operations.

I think the member for Thunder Bay made a particular plea for the lowly prospector, who is fading not only in Ontario, but right across Canada. We are concerned with that. We hope the changes that we make to the Mining Act will lend some support to that breed coming back into Ontario.

As the member for Thunder Bay correctly pointed out, he was that fellow who chose to go out early in the spring and stay out until late fall, sometimes even throughout the winter. He scratched the surface as he moved throughout the north country and took the opportunity to uncover those outcrops and to follow them up further. We cannot forget those individuals who have played a very prominent role in the development in the mines in the Province of Ontario.

I think, historically, Ontario's policies have been directed—and very effectively directed—to more mines being discovered and more mines being put in operation. When you compare the effects and the results of this policy over the last number of years, one will see, of course, that we in Ontario produce well over 50 per cent of Canada's mineral production. This is something that we certainly are proud of. Certainly it may be because of our natural endowment, but I think the fact remains that the mining industry, helped by the policies of the Ontario government, has been and still is a very stable employer in northern Ontario.

Another point I should make, Mr. Speaker, with reference to section 113 — and I know this will come up for some considerable discussion — is that we in the Province of Ontario have more production and more processing, in relation to the amount of minerals mined here, than any other province in Canada. So we are moving in the right direction.

I just want to make a comment on the stability of employment within the Ontario mining industry. If you'll check page 31 of the Ministry of Natural Resources statistics for 1974, Mr. Speaker, you will see that in 1962 we had about 29,000 people working directly in the mines; in 1972 it was 28,867. Basically the total is just about the same in a 10-year period. When we take in the quarries, the gravel operations, the diamond drilling contractors, and the metallurgical people, we are talking of a total in 1962 of 48,989 people; 10 years later, in 1972, we had 47,753.

I think you would have to agree, Mr. Speaker, that the mining industry has been a very stable employer when it comes to numbers.

Granted, there has been new technology, new science and new methods of extracting ore; they are producing more with the same number of people. I think we are seeing this happen in a number of our resource extractive industries. We can see it happening on a daily basis in the pulp and paper industry where they are becoming more sophisticated, more mechanized; of course, this means less direct employment but production is maintained and even increased. So I think we can

take heart in the stability of employment that the Ontario mining industry has given to northern Ontario.

I just want to say a few words about the tax system itself. I think it is fair to say—and I hope the members of the opposition realize this, as I'm sure they do—that while we have been endowed with a tremendous amount of mineral wealth in the Province of Ontario, particularly in northern Ontario, and while we mine those minerals, the metals that we produce are of course brought onto the market on a world competitive bases, because it's obvious that we ourselves can't use all the metals that we produce here in Canada, even from the mines of the Province of Ontario.

Incidentally, Mr. Speaker, with the transportation facilities we have today and considering the interchange and the interplay, the world is becoming smaller and smaller each day. So we have to consider the application of a tax in a world connotation, not just within the confines of the Province of Ontario, if we are going to maintain a viable mining industry and the stable employment we all look forward to.

I think it is also fair to say, Mr. Speaker, that the amount of minerals we can use in the Province of Ontario bears directly on the manufacturing markets which are similarly constrained domestically. We can only grow in terms of our international sales, so again we are in a world-wide situation. Our prices, and hence the prosperity of the industry, are largely determined on an international basis and on international demands.

I think the members of this House, and certainly the members who entered this debate, are very much aware of the cyclical nature of the prices of minerals and metals in Ontario, and indeed in the world. In fact, a recent report in the Northern Miner indicates that 1974 prices were at an all-time high in all minerals and all metals. When one looked at them six or seven years earlier —I think it was 1966—the price dropped considerably at that time. It has been rising ever since. We are seeing a direct result. I think the mining revenue tax that will be accruing to the Province of Ontario—we estimated $144 million last year—in this coming year is something we can all take heart in.

Mr. J. E. Bullbrook (Sarnia): Is that estimate realistic?

Hon. Mr. Bernier: The experts tell me it is very realistic.

Mr. Bullbrook: I heard it was a little conservative.

Hon. Mr. Bernier: As the member points out, it is slightly lower than what was estimated in the budget last spring.

Mr. Bullbrook: I heard the minister is getting more money than he ever dreamed of.

Hon. Mr. Bernier: I don't think so. We are not out to rip off the mining industry. We just take what the member's leader has said was a fair and equitable share of their profits. This is what we intend to do.

I think it is fair to say that we on this side of the House have always used a tax on profits. This has been in effect for 67 or 69 years now. This tax is much different from the royalty that is applied in other provinces. I think it is fair to say, Mr. Speaker, that the application of a tax on profits avoids the closing down and the reopening of mines.

Anyone who is connected with the mining industry knows that to reopen a mine it is very costly, and that the personal hardships that are encountered should one close down are astronomical. We are going along with a percentage, a tax on profit that maintains the operation, regardless of the price of the end commodity or the mineral that is extracted. A portion of those profits accrues to the government and the people of the Province of Ontario, but in no way does it jeopardize the operation, which is in complete opposition or contrary to the application of a royalty that comes right off the top, regardless of whether or not there is a profit.

The other governments of this country have chosen to go that route, and I think we'll see the effects of that in the not-too-distant future. In fact Mr. Speaker, I had the opportunity of spending three or four days in one of our western provinces. It was obvious to me as I toured many of the mining operations and met with members of the press, that the feeling out there was that it was eventually going to be confiscation of the mining industry. There was just no doubt that as a result of the rate of royalty that was being applied, that the end goal—

Mr. Stokes: The CMA and the OMA say this tax is confiscatory.

Hon. Mr. Bernier: —was obviously going to be confiscation of the mining industry.

Mr. Stokes: The minister can take that with a grain of salt.

Hon. Mr. Bernier: That is certainly something that we don't want to get involved in. We think there is a place, as the Leader of the Opposition has correctly pointed out, for the free enterprise system to operate and to operate very effectively. I can assure you, Mr. Speaker, that it is not our goal to go that complete route.

Mr. Bullbrook: The minister could hardly call Lougheed a socialist; now when he talks about free enterprise—

Hon. Mr. Bernier: I am looking over the other side of the hill.

Mr. Bullbrook: I don't think there is anything mutually exclusive between royalties and a free enterprise system.

Hon. Mr. Bernier: Mr. Speaker, I'll just touch on another point. The Leader of the Opposition made some comment as to the rapport that exists between the various Ministers of Mines when it comes to the application of various taxes, because he felt that interprovincial borders were not there as barriers, in other words to siphon off development that may occur in one province vis-à-vis another.

I would expect the Leader of the Opposition is referring directly to the Noranda operation. I know the member for Thunder Bay will agree with me when I point out that Noranda does a lot of custom smelting and refining in Noranda, Que. and in Valleyfield but nothing in the Province of Ontario. Not a thing have they got here that directly relates to that type of an operation.

I can say to you, sir, that we put a tremendous amount of pressure on that particular company a few years ago because there was a strong feeling within my ministry and within the government that there was need for a custom smelter in the Thunder Bay area. At that time, the cost of energy was considerably lower in the Province of Quebec.

Hon. Mr. White: Subsidized.

Hon. Mr. Bernier: Yes, subsidized. In fact, I said at one time that it was an under-the-table deal, where our costs are on top of the table. Hydro would not move from it. They said: "This is the cost of energy in the Province of Ontario for all industries located in specific areas and that is our cost." But when we compared the mill rate that was suggested to that operation then, of course, it was obvious for economic reasons that they had to expand their operation in the Province of Quebec.

Mr. Renwick: Of course, this government has never provided any tax giveaway programme for industry.

Hon. Mr. White: Ours is on top of the table, it is not a hidden subsidy.

Hon. Mr. Bernier: It's on top of the table. It's right there.

Mr. Renwick: Not at all, because this is the minister who disregarded it.

Hon. Mr. White: It is on top of the table.

Mr. Renwick: Our resources are exploited. People have a right to know about these things.

Hon. Mr. Bernier: As I am sure the Minister without Portfolio, the former Treasurer, will point out when he responds to the various comments, all our dealings are on top of the table, be they processing allowances or any other type of tax. Even our energy costs are debated and are clear for everybody to see.

Mr. Renwick: Oh, for heaven's sake. Read about the exploitation of natural resources of northern Ontario. They are not on top of the table and the minister knows it. He cannot rewrite history.

Hon. Mr. Bernier: I just point out that, with the incentives we have here, we will see things coming back into northern Ontario. I think the member for Cochrane South is very much aware of what is going to happen after this bill gets the approval of the members of this Legislature.

Hon. Mr. White: Yes, he is sorry it is going to be successful, though.

Hon. Mr. Bernier: I wonder how he is going to live in his home town of Timmins with that speech he made, but it will be interesting to see how it moves ahead.

Mr. Ferrier: I will live with it.

Hon. Mr. Bernier: I just point out to you, Mr. Speaker, that while we may be accused of trying to create and give the mining industry incentives, those incentives are for development in northern Ontario—the processing allowances which will bring the type of development that we in northern Ontario all want and have been striving for and I think are all working for, or at least those who speak for northern Ontario in this Legislature.

I just want to touch briefly again, if I could, on the administration of the mining tax and the complexity of the exercise. As

I pointed out in my opening remarks, the proper assessment of the tax itself is a very skilful thing, and I think the member for Lakeshore touched on this when he made reference to the mine assessor.

Mr. Renwick: It has been illegal up to now.

Hon. Mr. Bernier: I just want to point out to the members that when we manage the resources as we do in the Ministry of Natural Resources, then it is obvious that we should have the taxation powers that go hand in hand with that. The people we have in the mineral resources branch are the highest calibre of men we can find anywhere in Canada. I just want to name them to you, Mr. Speaker, because they do a great job.

Mr. Stokes: It is time the minister brought them out front and centre instead of giving them a secondary role.

Mr. Renwick: That is right.

Hon. Mr. Bernier: They are right out there—

Mr. Renwick: That is why the under-the-table talk about other jurisdictions lies very uneasily in the minister's mouth, when the method of assessment has never yet been disclosed.

Hon. Mr. White: It is going to be; don't worry.

Mr. Renwick: It is going to be now, after how many years?

Hon. Mr. Bernier: Yes, we have made this commitment and that will properly be brought before all to see.

Mr. Renwick: The sooner it is taken out of that corrupt ministry the better it will be for the people of the province.

Hon. Mr. Bernier: Mr. Speaker, I just want to point out the quality of the type of people we have in the mineral resources branch. They are not only expert in their particular fields but they are most difficult to recruit and, of course, they do a great job for the amount of remuneration they receive. I think it is fair to say that some of them are experts. They are all experts, of course, in their particular fields.

I just want to name them. Dr. Tom Mohide, who is the branch director and mine assessor, is an expert in the marketing of metals. He comes to us with a tremendous background in the particular field of economics and finance. We have the mineral taxation assessment section, headed by Mr. J. Stoddart. Also, we have on that same team a mineral economist and a metal minerals expert in Mr. Wade and Mr. Matten. We have Mr. Foster, who is with the pits and quarries section. With the petroleum resources section we have Doug McLean. So we have gathered together, over the years, a tremendous force of expertise to deal with this very complex situation.

Mr. Renwick: Oh, for heaven's sake.

Mr. Speaker: Order, please.

Mr. Renwick: For heaven's sake. Oh please don't. This was a good debate until the minister entered it.

Hon. Mr. Bernier: It's not the application of an ordinary tax. I think the hon. member—

Mr. Renwick: This apologia by this second-rate minister is more than we can endure.

Hon. Mr. Bernier: But it's there, Mr. Speaker, for all to see. The application of the mining tax is no easy job. It takes experts in marketing, in metallurgy and in economics to administer it, in co-operation, of course—

Mr. Renwick: It will reduce the tax take of the Province of Ontario to the lowest possible figure. It takes genius to do that over the years.

Hon. Mr. Bernier: —with the resource development and the management that we have within the Ministry of Natural Resources.

Mr. Renwick: The government has really got to work at that to be able to expand the expenses deductible from the value at the pit mouth to get as little return as it does.

Hon. Mr. Bernier: Well, we'll have that all spelled out for you in very simple clear language, Mr. Speaker, in the not too distant future.

Mr. Renwick: The government has really got to be skilful to be able to do that.

An hon. member: What is the member for Riverdale blethering about over there?

Hon. Mr. Bernier: Mr. Speaker, I just want to point out that the proposed tax, of course, will have new incentives, particularly directly related to development in northern Ontario. There will be 100 per cent write-off of all exploration and pre-production expenses. I'm sure that this is not the whole solution to further development, and I accept that. But, nevertheless, it's a step in the right direction.

I think another point we should make, Mr. Speaker, is that there is an increasing cost of working in the minerals field today. I think it's fair to say that the cost of exploration has accelerated considerably in the last 15 or 20 years.

I think, as the hon. member for Thunder Bay pointed out, all the outcrops in northern Ontario have been thoroughly gone over, so that now we're left with a more sophisticated type of exploration and development.

We have the type of equipment that will go down 50 or 60 ft through the overburden and reach the mineral resources and give us some readings. But now we even have to go further than that.

I think, as I announced in the Legislature some time ago, we are looking at the lower James Bay basin. It is an area of tremendous potential, but we don't know what is there. We're going down 500 to 700 ft to see what is there. However, the costs are rising each day from inflation. I would just like to point out that in 1955 the work cost $100,000.

Mr. Stokes: Maybe even hydrocarbons, if one looks hard enough.

Hon. Mr. Bernier: To do that same amount of work in 1975, you would have to have about $1 million. The costs have gone up about 10 times in 20 years. This is a further burden. But we have to have further exploration if we're going to keep our mineral activity where we want it in the Province of Ontario.

Mr. Stokes: The minister might even get into it himself.

Hon. Mr. Bernier: Well, we might yet.

Mr. Stokes: What about joint ventures?

Hon. Mr. Bernier: As we get into this more sophisticated type of exploration, of course the risks get much greater. It's obvious that you can't become more sophisticated in looking for minerals through a tremendous amount of overburden without creating a greater degree of risk. This adds further costs to the exploration companies.

I think it's fair to say, Mr. Speaker, that while we haven't got all the answers on all the problems, I think the government recognizes there is a great technical and scientific challenge facing us. And, of course, it will be coming forward with many propositions in this area. We're working on them now. I refer, of course, to the mineral exploration assistance programme, which is working quite well and which we intend to expand.

We do think that we should be concentrating not only in the gold mining areas, but now that energy is becoming scarce throughout this country, maybe the time has come to concentrate on uranium areas. Hopefully, I'll be able to announce something along these lines in the not too distant future. We think there should be more surveys. A Crown corporation, of course, is something that we have on our shelf; and we are moving ahead in this particular field.

Mr. Ferrier: We're going to take it off the government's shelf.

Hon. Mr. Bernier: I just want to touch briefly, Mr. Speaker, on the comments of the hon. member for Lakeshore when he indicated that we should get involved in more direct ways to help the prospector—and he suggested the field of grubstaking. Well, I am sure those members who are knowledgeable are aware of the experience in the Province of Saskatchewan where they went into a direct subsidy for the small prospector. It was a total and complete failure. They have withdrawn that programme because of so many abuses and it did not produce the necessary results.

But we think that the rewriting of the Mining Act, giving certain concessions and assistance with regard to assessment and giving the prospector more credit with regard to the work that he does in a broader range of areas, this type of assistance will be more beneficial to encouraging them to go back into the field and stay there.

I think, Mr. Speaker, as the application of this graduated tax becomes known and as it is applied and as the new incentives for refining and processing of our minerals in northern Ontario are applied, we will see a very strong and powerful tool that will bring into force new plants in northern Ontario. I suggest that new plants, and new employment opportunities will follow closely on the passage of this particuar bill. I refer to a zinc refinery, a copper smelter, a cement plant and even a fertilizer plant.

Those are things that we just can't scoff off because they are there and there are going to be more to come. In fact, I am going to make a prediction for the member for Thunder Bay that we will have a smelter in northwestern Ontario within the next decade, solely on the strength of this particular bill and, of course, the need for a custom smelter in that particular area.

Mr. Speaker, just a note before I wind up, I want to make the members aware that in

1974 we had four new mines come back into production and at this point in time, because of gold prices throughout the world, we have renewed activity in 17 other areas. This is quite encouraging when we think that in one year alone we have something like 21 new activities, and we are hopeful that all 17 will come into production this year.

With that kind of renewed interest, I think it is fair that the direction we are taking with the application of this graduated mining tax is not only acceptable and returns to the people of the Province of Ontario their share of the profits from those mineral resources, but also encourages the mining industry to continue exploration and to continue operation and to continue expanding.

Mr. Speaker, I think maybe I should wind up with a summary, because we did hear sometimes about the neglect of the mining industry. I am not here to make any excuses or to pat the mining industry on the back for what they have done for northern Ontario, but I think it is fair to say that they have done things. Granted, in some instances, they could have done more.

I just want to point out to the members that there has been no railway development in Ontario in the last number of years without direct relationship to a mining industry. I think we can look at road developments in many parts of northern Ontario. They are again related to mining activity. I look at the incentives that were granted to the employees of many of our mining communities. We saw mining communities go in and establish a very broad range of housing facilities and other services. After X number of years of low rent being paid by the employees—and rightly so because they were certainly giving up other amenities of life — those houses have now been turned over to the mine employees at a very nominal price. Some homes in my own area have been turned over for $4,000 and $5,000. These are homes that are worth $20,000 and $25,000.

Mr. Ferrier: Hollinger got all they could get out of it.

Hon. Mr. Bernier: The homes are there and the employees are most anxious to get them. I also want to point out that the industry has not neglected its responsibility totally as some would indicate to you, Mr. Speaker.

Mr. Stokes: I am talking about the ones who have moved out.

Hon. Mr. Bernier: Well, yes, I think I would agree with the member. Several years ago they did move in and move out, but now we have a new attitude in the mining industry, and I think it is because of the effort and the direction of the government today which is demanding, and the public is demanding that they pour more back into the improvement of the quality of life in northern Ontario. I like to look at Manitouwadge, which is a typical example of a fine community, a well laid-out community, with all the services.

Mr. M. C. Germa (Sudbury): Tell us about Elliot Lake.

Hon. Mr. Bernier: Elliot Lake is an excellent community. There is not an empty house in Elliot Lake.

Mr. Germa: Yes, tell us about it. Tell us about the corporate citizens up there.

Mr. Ferrier: There are lots of people in the graveyard, though.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: In the field of recreation, I just want to point out in my own riding, Mr. Speaker, the mining industry there is directly involved with the construction of an ultra-modern arena with artificial ice. They are directly involved in a curling rink. They even have a nine-hole golf course carved out of the wilderness area of northwestern Ontario, out of the barren rock. They even hauled in fill to make it more acceptable. Very recently they developed a ski hill.

Mr. Germa: Tell us about Elliot Lake.

Hon. Mr. Bernier: In the housing aspect, they developed a special community adjacent to the Cochenour housing development for our native peoples so that they were directly involved. Right next to that, the town picnic area and the swimming area were totally developed by the mining industry. So we have a direct involvement, we have a concern, and we have an acceptance by some of the mining companies as to their responsibilities in improving and maintaining the quality of life in the northern communities where they are involved.

I touched on the stability and the job opportunities that they do provide. So, Mr. Speaker, as we move ahead with this particular bill and apply the graduated mining tax, I think that we in northern Ontario can take confidence that we will see action—that this policy direction is the one which will bring us benefits in the future.

Hon. Mr. White: That's the first sensible speech in this debate.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Well, the former provincial Treasurer calls it a sensible speech. I have never heard a more lamentable apologist for the mining industry than the present Minister of Natural Resources.

Hon. Mr. White: The member only thinks so because he hates the industry.

Mr. Lewis: No, I don't hate the industry.

Mr. I. Deans (Wentworth): He only thinks so because it's true.

Hon. Mr. White: Why does the member hate northern Ontario?

Mr. Lewis: I know that the job of a Minister of Natural Resources is to control the industry; to monitor the industry; to regulate the industry; to make sure that the industry operates on behalf of the people of the Province of Ontario. The present minister sees his job, not as regulator, not as an authority, but as an extension of the mining companies—

Hon. Mr. White: I don't think so.

Mr. Lewis: —and there is absolutely nothing positive about that. That is the minister's view. He's entitled to that view. We're entitled to our objections to it, Fortunately, some of his colleagues—

Hon. Mr. Bernier: That is not correct at all.

Mr. Lewis: —are not such sycophants within their own ministries. Happily, the Minister of Health (Mr. Miller) doesn't bow every day to the medical profession. If that happened in his ministry the way it happens in the Ministry of Natural Resources there would be a public scandal.

Happily the new Attorney General (Mr. Clement) does not bow every day to the legal profession. The only ministry which day in and day out sees itself as a logical extension of the industry it is supposed to supervise is the Ministry of Natural Resources.

Hon. Mr. White: The member is having a pipe dream.

Mr. Lewis: That is frankly abhorrent. Obviously that's a basic difference. I'm not going to get into the details of the bill. They've been discussed at length by members of the Legislature. I just want to put to the House some simple philosophic differences which cause us to vote against the bill. Because that's what we are talking about; we are talking about basic differences in principle, the way in which we approach this resource sector and the way in which the Tories do. Our approach starts from a quite different premise, Mr. Speaker.

We think Ontario owns the resources. We think the resources belong to the people of this province. We think that only on sufferance and on very tight contractual provisions, should Inco, Falconbridge, Rio Algom, Denison, Hollinger or anybody else have the right to mine our ores. We think, as a party, and I make no apology for it, that the mineral rights belong to the people of the province—not to International Nickel Co. On that we part company in this House—on that we part company.

The government believes that the mineral resources in the ground of northern Ontario belong to the companies. Starting on that premise, it applies a certain tax to the profit structure of those companies in order to recapture for the public a modicum of income, a tiny fraction of what we deserve. That's a basic difference in social philosophy.

The government says that because Inco is there, or Texas Gulf was there and did the exploration and found the ore and now processes and develops it, that it is the company's. Our response is, it is not their ore. It is ours. The ores in the ground of Ontario belong to the people of Ontario. The government had no right to alienate the mineral rights, not at all; no right whatsoever. Tell me another province in Canada that's alienated the mineral rights?

The government has no right to enter into this tax relationship with Inco, or any other mining company for that matter, which accepts as its basic premise that it owns northern Ontario. We own it, and it's time the government understood that. The people own it. There is such a fundamental division in social attitude that it speaks volumes about why we oppose the principle of this bill.

When we apply a graduated tax to the profits of those companies what we are doing in effect is accepting everything about capitalism that is most abhorrent and, curiously enough, what we are doing is participating in something that is now a matter of international debate.

As a matter of fact, I'm sure the former Treasurer has occasionally speculated on what is happening internationally and continentally in terms of resources and in terms of whether they are energy resources or more traditional mining resources: The western world now is

ranged against Exxon and OPEC, and governments find themselves in a terrible dilemma as they suddenly face the corporate sector in a fashion which is uncomfortable for most western capitalist governments—and I use the phrase in descriptive ways.

The government of Ontario now is dealing with Syncrude in a fashion which makes Ontario a supplicant to Syncrude. We're not calling the shots. We get a five per cent equity in an operation which is dominated by multi-national corporations and to whom the profits will flow disproportionately. It's a real dilemma for the Province of Ontario. It's fascinating that we have come so far in our basic regard for and favours toward the resource sector that we would allow ourselves, incredibly enough, to give $100 million or more to Imperial Oil, which is no longer even part of what was once called the multi-national society and is now ranged with the major OPEC companies against governments.

Whether it's the resource sector in terms of energy or in terms of minerals, what the government is doing in this bill in fact is again saying that the mining companies have all the rights in this province, that they dictate the terms, and what we will do is intervene to tax them. We'll try to civilize the taxes a bit. We'll try to redeem the incredible exploitation of the last 20 years when they got away with paying a pittance. We'll try to redeem that by graduating the tax somewhat—

Mr. F. Laughren (Nickel Belt): They should have made it retroactive.

Mr. Lewis: So we come out at the far end with $145 million from our mines tax and $202 million in total. In the year 1975 the net profit for Inco was $306 million.

Hon. Mr. White: World-wide, yes.

Mr. Laughren: Where does the minister think it comes from?

Mr. Lewis: Let me put it to the minister this way—and on this fact I have no qualms to stand—Inco makes more net profit in the Province of Ontario than this government is extracting from its entire mining tax that we're debating this afternoon. Does the minister understand that? Does he realize how disgraceful that is? One multi-national corporation makes a greater net profit in this province than this government extracts from an entire piece of legislation to be applied to all of the mineral industry.

Someone, somewhere, is going to have to explain the justification and legitimacy of that to me, because the logic escapes me.

Mr. B. Gilbertson (Algoma): What do the shareholders think of that?

Mr. Lewis: One would have thought, as my colleague from Nickel Belt has pointed out—and I've listened to many of the speeches in this debate—that at the very least the government would take as much for Ontario as it gives to them in profit. Is that not a fair rule of thumb?

My colleague from Nickel Belt says behind me, sotto voce, that maybe we should apply the tax retroactively. Well, I don't know how we can apply a tax retroactively; clearly we can't—

Mr. Deans: They've done it.

Mr. Lewis: They've done it by a few weeks, I suppose. That's true, I remember that fiasco.

Mr. Deans: We argued that it was illegal—

Mr. Lewis: That's right.

Mr. Deans: And it was illegal!

Mr. Lewis: We argued that it was illegal. So just as we argued in terms of the sales tax—

Hon. Mr. White: The members opposite made it legal.

Mr. Deans: It was illegal.

Mr. Lewis: I must say, he is quite right. We are doing it with this bill. He is quite right. But I suppose retroactivity has a termination point; one doesn't go back to 1950. But I'll tell you, there is no reason why the terms within this piece of legislation, the tax which is levied, shouldn't be sufficiently tough that we begin to recoup all that we gave away in those years of enormous profits in the 1960s and early 1970s. It's very easy now for the former Treasurer—

Interjection by an hon. member.

Mr. Lewis: —the portly overlord, to introduce a piece of legislation which now brings us $145 million from the industry. And he claims—

Hon. Mr. White: It is $202 million.

Mr. Lewis: —$202 million depending on the tax: This tax will bring us $145 million, right—that is the bill we are talking about. It is $145 million under the Mining Tax Act.

And the minister talks about it as a major increase over last year. That's right—threefold I guess. Just about threefold; right!

Then I recall all those years when the total productivity of the mining industry in Ontario ranged between $1.5 billion and in excess of $2 billion a year, and we were receiving by way of mining revenue less than one per cent of total productivity.

It was an absolute scandal what Inco and Falconbridge and everybody else got away with in the Province of Ontario. And that's all documented. That's all on the record. It all came from Dr. Tom Mohide. Would that he were still allowed to do the kind of breakdown which he did up until 1971.

You know why we don't now have the breakdown mine by mine, table by table, that we had then, Mr. Speaker? Because it's too embarrassing—

Mr. Laughren: That's right.

Mr. Lewis: —for the government to show publicly what it hasn't been getting from the mining industry. And the reason—as I stand here; and I believe this—the reason that since 1971 we have never been able to have the explicit breakdown of the figures for revenues from the mining industry is not, as the minister says, because it was a complicated procedure and they were cutting back on what they put out, etc.; it's because of my Sudbury colleagues and others showing the world that it was $16 million, $18 million, $24 million, $25 million a year. It was so embarrassing. It was so difficult in northern communities that the government decided to suppress the information. It's as simple as that. And that is exactly what it did.

I don't know how many times we phoned the minister's office. As a matter of fact, I even phoned his office attempting to get the figures, forever to be told that they were in preparation, or they were coming, or they were not quite in the form that they once were, etc. The government extracted so little from the mining industry that it became a matter of public embarrassment. Now the minister can talk about $145 million as though it was of some consequence. It's of no consequence measured against what the government relinquished in the past.

So the basic philosophic point then remains: The government believes that the industry owns the ores; that it has an untrammelled right to those ores. Therefore, all the government is prepared to do is enter into a graduated tax relationship with it. We believe the people own the ores and that, therefore, there is a contractual arrangement to be entered into with the companies where they pay us by way of royalty for the mineral rights in the exploitation of the resource, and we get our money back for the people of Ontario. That is what is being done in western Canada by New Democratic governments.

Mr. Deans: Maybe we could put it on the income tax.

Hon. Mr. White: They have withdrawn that one—they are in retreat.

Mr. Lewis: It is in effect in British Columbia; that is exactly right. Nobody is in retreat. Manitoba has taken the bill off the order paper to make it even tougher. No one is in retreat.

Hon. Mr. Bernier: He has got to be kidding—he is away off base.

Mr. Lewis: Not at all—not at all. And if the government is going to have an income tax—

Hon. Mr. Bernier: They took a realistic approach—that's what they did.

Mr. Lewis: —of course you have to graduate it. Which of my colleagues can object to that? Who can object to that? Graduated taxes make sense. It's motherhood. But that isn't the route. That's kind of an acceptance of everything that the mining corporations stand for. This government has simply accepted their right to dominate both northern Ontario and the industry—and to our last breath we will not accept that right. We don't believe the ores are theirs. We don't believe we should have given them away, at all, in the first place. So that's the first philosophic difference.

The second philosophic difference, Mr. Speaker, if I can put it to you, is that having applied a tax to the mining companies, we would then not allow all of the special exemptions and special provisions—from depreciation and depletion to tax write-offs for development exploration, and everything else in the world that they get from provincial Tories and federal Liberals. We would simply not allow it.

If the government is going to have a tax, let it have a tax and cut out the exemptions. If the government says to us that somehow those exemptions are needed for the mining industry in order to survive, we say balderdash. Everything they do, Tories and Liberals,

with resource corporations is to provide special security for them.

I read that front-page Globe and Mail story in the "Report on Business" this morning on the tax concessions given to Syncrude and I could hardly believe it. I could hardly credit it. They are getting eight times in tax concessions what we are giving them from the public coffers of the Province of Ontario. We fall all over ourselves to provide special provisions for the mining corporations and resource corporations in this country, and on that we have a basic philosophic difference. If the government is going to tax the blessed corporations, then let it tax them and not play games with them.

The third philosophic difference, Mr. Speaker, which we have with the government on this bill is the inherent continued exploitation of northern Ontario. The member for Thunder Bay, the member for Nickel Belt, and the member for Nipissing (Mr. R. S. Smith) in the Liberal Party talked to the House about the rights of northern communities. There is something foul about politics in Ontario, and there is something that is malodorous about politics in Ontario that the government has extracted so much from the north and returned so little. The Minister of Natural Resources has the chutzpah—which translated freely means a combination of audacity, gall and presumption—to say that there are golf courses built in northern Ontario on the exploited ore lands. What does he have? What has he done? What did he have?

Hon. Mr. Bernier: He is an authority on northern Ontario. He made one trip in four years and he is an authority.

Mr. Lewis: One hole per life is that what the minister is establishing? Every time a miner dies on the job he builds another golf course?

Hon. Mr. Bernier: The member doesn't even know where half of the municipalities are in northern Ontario.

Mr. Deans: He digs a hole.

Mr. Lewis: One of the things I have learned in my travels through the province as leader of the NDP, sometimes useful and sometimes not so useful, is that every Tory in northern Ontario is in trouble, including the Minister of Natural Resources.

Hon. Mr. Bernier: The member said that in 1966 and he said it in 1971.

Mr. Lewis: No, I have never said it before. I always thought the minister was impregnable. Then I realized that only applied to his cerebral processes. I now understand that politically he is vulnerable.

Mr. Stokes: What did the minister say about me in 1966?

Mr. Speaker: Perhaps we could return to the principle of the bill.

Mr. Lewis: I am. If these caustic interjections would cease, I would continue my amicable views.

I want to say to you, Mr. Speaker, that northern Ontario has been betrayed through this Mining Tax Act for as long as any of us can remember. To talk about golf courses is kind of a surreal note. I don't know where the minister garners his pleasures from, but not the workers. What is he trying to tell us? What about the miners in Geraldton? What about the miners in Elliot Lake? Has he taken a good look at the Sudbury basin recently? Has he looked at what the gold mines that closed down in Timmins did to the economy of the region? What is he talking about in referring to these benefits that are conferred on northern Ontario by the mining companies?

Hon. Mr. Bernier: Go up and look at it.

Hon. Mr. White: The member had better go up and have another little look. Things are happening.

Mr. Lewis: If the government had extracted a fair and equitable tax from the mining companies through the last 15 years, then it could have returned some of it to northern Ontario.

Hon. Mr. Bernier: Look up there and see what has happened in the last 10 years. This is the same old broken record of five years ago. He hasn't changed his tune. He hasn't changed his point of view.

Mr. Lewis: Broken record? I don't mind the broken record.

Mr. Deans: It's a shame we have to keep saying it; that's the problem.

Mr. Germa: How does the minister sleep at night? The minister has blood on his hands and be knows it.

Mr. Lewis: In 1971, there were Tories who lost their seats in northern Ontario.

Hon. Mr. White: Northern Ontario is blooming all over.

Interjections by hon. members.

Mr. Speaker: Order please, the hon. member for Scarborough West has the floor.

Mr. Lewis: The government's whole view of northern Ontario is so filled with political contempt that it's time that was said.

Hon. Mr. Bernier: The member is scared of what is going to happen in northern Ontario, that is why.

Mr. Lewis: They look at northern Ontario and say within the inner sanctum of the Tory party: "They have only got 15 seats. We are going to have 125 in the new redistribution. To hell with northern Ontario, we can lose them all and still keep a government." They always thumb their noses at the north. They have never ploughed back into the northern economy that which they have taken from it, the minister knows that.

My colleague from Nickel Belt talked about when he first moved to Sudbury. I can remember in that 1971 campaign — and I didn't know much about Sudbury at the time —I walked into a community and found the road network was terrible, the hospital beds were in short supply, there was no housing, and people were sleeping in the backs of station wagons. There was a lack of housing, transportation and health amenities — and Sudbury sits on the richest ore body in the western world.

The government calls that justice in northern Ontario and the minister tells my colleague from Thunder Bay about places in the northwest which have golf courses. Tell that to the miners with silicosis and cancer in Elliot Lake, and look at the profits of Denison and Rio Algom. We are telling this government very simply that one of the ways to correct all of that is by applying a tax which is fair. This tax is simply not fair.

Hon. Mr. Bernier: That party is forever downgrading northern Ontario and the people who live there.

Mr. Lewis: This tax is simply not fair and one of the other philosophic differences—well, the north will make its judgement several months from now.

Hon. Mr. Bernier: They have a hard time handling the seats they've got.

Mr. Stokes: The minister doesn't believe that.

Mr. Lewis: We will stand by that, as the minister will. They will make their judgement and we will see what they say.

The reality is that we part company with this government on northern communities as well. There is no part of this province—including eastern Ontario—

Hon. Mr. Bernier: Join us and start building northern Ontario. Things are happening.

Mr. Lewis: Does the minister want to speak again?

Mr. Speaker: Order, please. The hon. member for Scarborough West has the floor.

Mr. Lewis: By all means, I will sit down for him.

Hon. Mr. White: I want to speak. Speed up.

Mr. Lewis: I am sure he will. He is another apologist. The place is filled with apologists for mining companies and oil companies over there. I have never seen such a coterie.

The fourth philosophic basis—and I am going to play right to all the government's prejudices, because we want the record unmistakable in all of this—is that if we are going to move into the resource sector at all, then it doesn't involve a five per cent equity in a Syncrude or a graduated tax of the mining industry which nets about half to a third of what we should have been getting for the last 10 years; we either take a controlling interest in the industry or take one of the major multi-national corporations into public ownership in order to show what can be done.

For the Tories, that's sacrilege. But let me say to those opposite, it is no longer sacrilege to the public; no longer at all. The public of Ontario and Canada wouldn't bat an eye if the government bought a controlling interest in Imperial Oil. They understand that resources which are so central to the life of the province have to be publicly controlled and often publicly owned, and at some point we simply have to intervene on behalf of the public.

It doesn't cause me one jot of anxiety to suggest that one of the major mining corporations belongs in the public sector or, failing that, we should take an equity participation which gives us control over its investment policies, its exploration policies, its development policies and the distribution of its profits, and begin to return to northern Ontario the wealth that is theirs and begin to show to the rest of the province what might be done. Again, philosophically, we feel that very strongly. The government doesn't feel it at all?

One of the reasons the Tories are losing Ontario is that there is no recognition of what is real in the outside world. There is no recognition that the little waltz they have danced with the mining companies, lo, these many years, is now turning to a series of sour notes, that they have to change their step, that the gavotte is out of date, that the incestuous relationships are over and that no one any longer regards a simple graduated tax as dealing with the mining sector of Ontario. No one believes that any more except the most inveterate Tory—and, my God, the benches are empty of inveterate Tories, but there are a few who are here representing them. No jobs will be driven out as a result of taking a tough position on mining taxes; no jobs at all. Jobs aren't leaving British Columbia, Saskatchewan or Manitoba; no, sir.

Hon. Mr. Bernier: Yes they are.

Mr. Lewis: No, sir. Jobs are not leaving those provinces and that has been demonstrated every time.

Hon. Mr. Bernier: Oh yes they are. Face up to it. How can he stand there and say that?

Mr. Lewis: As a matter of fact, this government should intervene even for the international implications—

Hon. Mr. Bernier: The member is 100 per cent wrong.

Mr. Lewis: —and show people in Ontario. I know that this doesn't make any impact on the minister, but I'm going to say it anyway, because I agree with my colleagues in the caucus: Falconbridge spends all its time exploiting underdeveloped countries with the wealth we extract from Ontario. International Nickel does the same. There's a certain shame in that, you know.

We don't run off to the food conference in Rome and beat our breasts about the need to give money to the third world and at the same time play footsy with the mining corporations in Ontario who use our profits from our resources to exploit peoples in the third world. There is a moral inconsistency there, if nothing more. But it matters not at all to those benches.

If we raise the behaviour of Falconbridge or Inco or any of the others in Rhodesia, South Africa, New Guinea or any other third world area, we're not even allowed to discuss it. It's considered beyond the pale.

Mr. Laughren: Does the minister remember that?

Mr. Lewis: But it means something to this party, and I want the minister to know that. Philosophically it means something to this party, and we're not going to participate in the endless accrual of profits in Ontario to be used for the exploitation of underdeveloped peoples. That is another reason why we feel strongly about this bill and about the principle it embodies.

Let me summarize:

1. We repudiate the bill because it explicitly endorses the proposition that the mineral companies own the resources of Ontario. We reject that. We own the resources of Ontario. We will grant to the private companies the right of exploitation on our terms, not theirs.

2. If there is to be a tax of any kind on the mining companies, even in Tory terms, it must not be a tax which can permit the kinds of concessions, exemptions and special favours which renders the tax obsolete.

3. If a tax is to be levied, then it has to capture a legitimate amount of money. And $145 million, which I repeat represents less than the net profit of International Nickel in 1974, is not a legitimate amount of money.

4. Northern Ontario has to receive some special advantage from this tax. We can only discriminate against an area or a region of the province for so long before we have to introduce a note of equity—and nothing in this bill suggests anything on behalf of northern Ontario.

5. If we're going to enter into any taxation at all, it should be on the basis of equity that means something by way of ownership of shares, as well as the taxation, or indeed the public ownership of a major company.

6. If one is going to deal with the mining industry in this province, one must deal with it in an international context, recognizing the behaviour of those companies abroad in the third world, and recognizing the problems of western governments as they face the major multi-national resource corporations.

On every one of those grounds the government is wanting, and we repudiate the legislation for it. Speaking in terms of philosophy and in terms of principle, there is not a thing we hold in common in terms of the way in which we would approach the resource sector of Ontario.

Mr. Speaker: Do any other hon. members wish to speak to this bill before the minister replies?

Mr. Deans: The minister did reply.

Mr. Speaker: The hon. minister.

Mr. Deans: He already has replied.

Hon. Mr. White: Mr. Speaker, the leader of the NDP has summed this up very well. There are a number of philosophical differences standing between us, who believe in free enterprise, and the NDP, who believe in socialism.

Mr. Lewis: A mixed economy.

Hon. Mr. White: Where the Liberals stand on the matter is once again somewhat in doubt, because "Fighting Bob" came out yesterday very hard on each side of the argument. It was only in his very last sentence that anybody here in this chamber had the slightest idea whether the Liberals were voting for the bill or against the bill.

Mr. R. F. Nixon (Leader of the Opposition): The minister was listening to that, was he?

Hon. Mr. White: Now, in fact, they're voting for the bill, as it turns out, although the three speakers from their side each expressed a different Liberal policy in arriving at that conclusion.

I'm going to go through the details of the bill, but before I do I'd like to come to grips with some of the philosophical differences which, as the socialist leader quite rightly pointed out, form a very great barrier between his party and our own.

Regardless of who owns the ore—

Mr. Lewis: Regardless?

Hon. Mr. White: —that ore is not an economic good until it is discovered, developed and put into production.

Mr. Lewis: Right. What does the minister mean, "regardless of who owns it"?

Hon. Mr. White: We on this side of the House believe that the economic value thus created at the risk of investors and promoters—

Mr. Lewis: What risk?

Hon. Mr. White: —is to be shared with the risk takers, and we make no apology for that.

Mr. Laughren: Including the workers? Are they the risk takers too?

Hon. Mr. White: And as a matter of fact, the member for York Centre (Mr. Deacon)—

Mr. Speaker: Order, please. Give the minister a chance to speak to this bill.

Hon. Mr. White: —came out with that proposition yesterday and it was just about the only sensible thing that was said from the Liberal benches. So we do have that fundamental disagreement with the NDP.

Mr. Lewis: What does the minister mean, "regardless of who owns the ores"? How does he throw it away so lightly?

Hon. Mr. White: Well as the member's daddy quite rightly put it about five years ago, it doesn't make any difference who "owns" these resources—

Mr. Lewis: Don't be silly.

Hon. Mr. White: —and the federal NDP did indeed change its policy, coming to the realization that one could—

Mr. Deans: But we do own them now.

Hon. Mr. White: —accomplish all of these objectives without investing enormous amounts of public moneys in private corporations, and that's the route we are going to take.

Mr. Deans: That is an entirely different matter.

Mr. Lewis: The minister is talking about something quite separate.

Hon. Mr. White: Well they are not different points.

Mr. Speaker: Order, please. There should not be this number of interjections.

Mr. R. G. Eaton (Middlesex South): The member was complaining that he was interrupted.

Mr. Lewis: On a point of order, Mr. Speaker, that statement has nothing to do with the ownership of ore bodies. That statement had to do with whether or not it is necessary to nationalize individual companies.

If the minister wants to use my dad, he should quote him accurately.

Hon. Mr. White: Well, I have high regard for the member's father and I used the term only to tease the member, and not disrespectfully. Although I have never agreed very much with anything Mr. David Lewis said, I think he is a man of complete integrity—

Mr. Lewis: Thank God for that.

Mr. R. F. Nixon: I understand the minister only agrees with John Robarts.

Hon. Mr. White: —and I do agree with him in this respect, that who owns the resources is not now important, Because governments have the undoubted power—

Mr. Lewis: He never said that.

Hon. Mr. White: —to reach their objectives.

Mr. Speaker: Order, please.

Hon. Mr. White: Now then, this is going to take a long time, so if everybody will settle down, I will go through the points as quickly as I can. Secondly—

Mr. Deans: He is a past master at twisting other people's words.

Mr. Lewis: I was heckled mercilessly.

Mr. Bullbrook: This speech is to assure the minister's directorships as soon as he resigns, that's all it is.

Mr. Speaker, Order, please.

Hon. Mr. White: I am not going to take that lying down.

Mr. Lewis: Well, take it standing up then.

Hon. Mr. White: It is an insulting remark and to make it and then run for the corridors.

Mr. R. F. Nixon: The Treasurer has already left, he can't take it.

Hon. Mr. White: So I haven't got my cap in hand for anything, and we will see some months from now who—

Mr. R. F. Nixon: He'll see some months from now.

Mr. Eaton: The Leader of the Opposition should read what the member for Sarnia said about him at the weekend.

Mr. Speaker: Order, please. Let's get the debate back in its proper order. Every member has had a chance to speak. Now it is the minister's turn to reply and there should not—

Mr. Lewis: Is the minister saying he wouldn't accept a corporate directorship in a mining company?

Mr. Speaker: Order please. There should not be this many interjections. Will the minister please continue?

Hon. Mr. White: I wouldn't accept any—

Mr. Lewis: When I was speaking there were a great many interjections, Mr. Speaker, and I took them in good spirit.

Hon. Mr. White: I am saying I wouldn't accept any directorships for a considerable period of time after leaving public life—

Mr. Lewis: Yes, about six months.

An hon. member: About 30 days.

Hon. Mr. White: —and beyond that I would want to weigh every such offer—

Mr. Lewis: Against the remuneration.

Mr. Germa: Remember Leslie Frost? He got 15 in one afternoon.

Hon. Mr. White: —if, indeed, any are re-received—to assure myself that I wasn't accepting a position in a company I had benefacted. And to have this insulting remark from the MPP for Sarnia, who thereupon runs out of the room, when he himself has undoubted designs on a very handsome law practice—

Mr. R. F. Nixon: Oh yes. The minister should get to the point of the bill. He is so childish. His own Treasurer has left.

Hon. Mr. White: Well, go and get him then and let's have it out.

Mr. R. F. Nixon: It is the minister's job to get the Treasurer in here. He is the one who sent him out.

Mr. Speaker: Order, please.

Hon. Mr. White: It is clearly out of order that kind of—

Mr. Lewis. They are going to have fisticuffs.

Mr. Speaker: Order, please. I have asked that the procedure of the House be respected. Will you please do so? Will the minister continue?

Hon. Mr. White: Well "Fighting Bob" is shouting a little more since last Saturday, but he is not saying any more. And certainly his contribution on this particular debate was an absolute and complete travesty. No wonder the Toronto papers are now demanding that the Liberals come out and say something for a change.

Mr. R. F. Nixon: Oh, that is it; every day a little more. Is the minister going to speak on the principle of the bill or not? He is just talking nonsense. That's why he was dismissed from the cabinet. He is just kept around to mount this campaign.

Hon. Mr. White: Now moving to another point—

Mr. R. F. Nixon: Oh, another point?

Hon. Mr. White: —trotted out by the leader of the NDP. He said there should be a flat rate. It has yet to occur—

Mr. Lewis: I didn't say that, I know I didn't. I offered royalties as an alternative. There are various ways.

Hon. Mr. White: Listen, the members of the NDP who have spoken on this bill have been completely against royalties. I am including the member for Lakeshore and the member for Thunder Bay.

Mr. Lewis: They have indicated again that if the minister is going to apply this kind of tax, it clearly has to be graduated. It is common sense. There are alternative ways of dealing with resource taxation—

Mr. R. F. Nixon: It is the principle of the bill that they are opposing.

Mr. Lewis: We are opposing the basic principle, that's right.

An hon. member: It's a matter of degree.

Hon. Mr. White: Royalties, quite frankly, cannot work well insofar as mining is concerned, because it does induce the companies to highgrade. This fact is making itself abundantly apparent—

Mr. Lewis: Oh, come on. If the government had a different minister they wouldn't highgrade.

Hon. Mr. White: —to Premier Barrett in British Columbia and Premier Schreyer in Manitoba. In both of those provinces they are in full retreat from those measures.

Mr. Lewis: What a ridiculous answer! Oh, stop it. Don't be silly.

Hon. Mr. White: Manitoba is doing it overtly and British Columbia is doing it covertly. In the British Columbia legislation the minister has enormous discretionary power which he is using secretly and privately to try to keep that industry breathing out there.

Mr. Lewis: That is not right. No, he is not. Secret and private; what is he talking about? Prove it.

Hon. Mr. White: Insofar as our approach, that is to say, a graduated mining tax versus a royalty, I'm perfectly sure we're on firm ground. The other provinces are now finding this out, as they emulate us. Indeed, Quebec has done so in the last couple of weeks by coming out with a system not unlike our own.

So the idea of a flat rate turning up a marginal tax of 77 per cent would, in itself, have two distinct disadvantages. It would make our industry in this province uncompetitive with mining industries in other jurisdictions and, perhaps even more importantly, it would leave us with the lever of processing allowances to induce the development of a manufacturing sector in northern Ontario.

Mr. Lewis: Yes, right.

Hon. Mr. White: Now, I'm going to pause on this. I've listened carefully to each of the speakers, most of them here in this chamber, one or two from outside Mr. Speaker's office. I've listened to every word said in this debate, and nobody has realized the very powerful combination of the high marginal tax rate of 77 per cent and the very large processing allowances available if a company takes its production to a fourth stage; that is to say, to a manufacturing or fabricating stage as such.

This provides a very great incentive to the companies. And, although the returns aren't in by any means—because, frankly, the companies themselves didn't quite comprehend it in the early months. That's one of the reasons their estimations were so high and so inaccurate.

Mr. R. F. Nixon: That's why they asked the minister to explain it.

Hon. Mr. White: They are now coming to the realization that they can earn back some portion of tax that would otherwise be payable if they developed manufacturing jobs in northern Ontario.

Mr. Deans: They're certainly rushing out to do it.

Mr. T. P. Reid (Rainy River): Tell us all the names of the firms that have done it.

Hon. Mr. White: As the realization has dawned, things have happened. Texasgulf has announced a $100,000 expansion of the Kidd Creek mine. They've announced construction of a $150 million smelter and refinery at Timmins.

Mr. Lewis: They announced it before the tax was introduced.

Hon. Mr. White: No, no. Listen, they did not.

Mr. J. F. Foulds (Port Arthur): How many processing jobs were needed?

Hon. Mr. White: They have announced the construction of the first of a series of fertilizer plants in northern Ontario, each to employ 300 people.

Mr. Reid: Are they shredding the minister's old speeches?

Hon. Mr. White: And they have other prospects on the horizon that I'm not free to mention.

Now Inco is looking at the construction of a strip mill plant in northern Ontario.

Mr. Lewis: That was before the tax was introduced.

Hon. Mr. White: Falconbridge has announced a $95 million smelter improvement programme at Sudbury and the opening of a new mine at Sturgeon Lake by a subsidiary at a cost of $17 million. Union Miniere has a $60 million mine development programme in Pickle Lake.

Mr. Foulds: That really gets us into secondary manufacturing, doesn't it?

Hon. Mr. White: I've got some news for you, Mr. Speaker; this is only the beginning. We have a date in front of us now indicating that $4 billion is going to be expended by all kinds of industries in northwestern Ontario alone in the foreseeable future.

Mr. Foulds: How long is that foreseeable future?

Hon. Mr. White: And in northeastern Ontario, from some of the illustrations I've provided here, one will see another enormous investment in northern Ontario employment. While there are a number of reasons for this, one of the principal reasons—as history will prove—is because of the very high marginal rate and the very high processing allowances.

As we come up with a high marginal rate on a graduated basis, we were determined to protect the smaller companies who often constitute the single industry for small communities. So what have we done? If that small company's profit was less than $1.3 million, we've removed all of the mining tax, so that that production would be perpetuated and the employment continued.

I think we've accomplished the purpose of inducing additional development in northern Ontario, trebling the amount of revenue realizable by the public purse and not putting the little guys out of business.

Turning now to the exploitation of northern Ontario, one has not available the precise collection of taxes and the exact expenditures by any regions in this province, and I half hope we never do, any more than I would want to see a really accurate depiction of the revenues from Ontario at the federal level and the expenditures into Ontario at the federal level.

Mr. Lewis: That's not a bad principle.

Hon. Mr. White: This quite frankly would be drawn to the attention of the uninformed and thereupon give rise to all kinds of dissatisfactions in this rich heartland of Canada and make it impossible for the federal government to continue to ship, in effect, billions of dollars worth of economic development into the less developed parts of this country.

Mr. Stokes: We are talking about quality of life in northern Ontario.

Hon. Mr. White: Yes, and I'm going to apply the principle in a minute to this province alone.

Mr. Deans: The trouble is the government is not doing that here in Ontario.

Mr. Stokes: Even the Tories are talking about the quality of life in Northern Ontario.

Hon. Mr. White: If one acknowledges that one of the fundamental reasons for Confederation is to share the economic fruits of one region with another—

Mr. Lewis: That's right, and the government has done nothing about it.

Hon. Mr. White: —and if one acknowledges that the federal government has done this with very little complaint from us, I must say, by shifting billions of dollars worth of economic wealth into other parts of the country—

Mr. Lewis: That's right.

Mr. Deans: This government hasn't done that in Ontario.

Hon. Mr. White: —without a great deal of dissatisfaction, because the numbers are not known.

Mr. Lewis: Why does this apply to the Maritimes and not in Ontario?

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. White: I am going to draw a parallel with Ontario. There is very considerable pressure from Chairman Paul Godfrey

and his council here in Metro to have a precise counting of the moneys paid by Metro Toronto taxpayers and moneys returned to them in a variety of services. I hope this is never fully and accurately attempted or produced, because it will show, I am absolutely positive—

Mr. Lewis: This is a red herring, a neat red herring.

Hon. Mr. White: —that we've invested $2 in northern Ontario for every $1 we've got out. Now what have we done just recently?

Interjections by hon. members.

Mr. Ferrier: That's not right.

Hon. Mr. White: I've dealt with the particular application of mining tax.

Mr. Lewis: On a point of order. What did the minister say? Did he say that the government has invested $2 in northern Ontario for every $1 that has been taken out of the north?

Hon. Mr. White: That's my hunch.

Mr. Lewis: The minister, sir, is ridiculous.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister is the only one supposed to be speaking at this time. Will the hon. minister continue and the rest hold their peace? It is a very unsatisfactory debate.

Mr. Lewis: We have had a congenial exchange all afternoon.

Mr. Bullbrook: He misleads the House with his hunches.

Mr. Speaker: I would suggest that there be fewer interjections. The minister will please continue.

Mr. Reid: You don't think we are going to sit here and listen to that nonsense, Mr. Speaker?

Mr. Lewis: On a point of order, I want to tell the minister that I really think he is categorically and hopelessly in error.

Mr. Speaker: Order, please. Everybody has had a chance to make his contribution to this debate. There is a difference of opinion and everyone has a right to express it, but not over and over again by interjections.

Mr. Deans: There is a difference of an opinion.

Mr. Speaker: The hon. minister.

Mr. Bullbrook: On a point of order, if I may, if we have a speaker telling us that northern Ontario is receiving twice as much as they give to the public purse and then he tells us it's a hunch, isn't that misleading this place? I would think it is.

Mr. Ferrier: It is an insult to the north.

Mr. Stokes: What about the $2 billion in new wealth created in the north each year?

Interjections by hon. members.

Mr. Lewis: I am sure that will go right across the northern part of this province. The minister has just reduced his credibility to nil.

Hon. Mr. White: Let me recapitulate.

Mr. Speaker: Order, please. Can we get on with a more orderly debate? The hon. minister, please.

Mr. Bullbrook: No more hunches.

Hon. Mr. White: I hope that we don't really refine the data relating to revenues by regions and expenditures by regions.

Mr. Lewis: I will bet the minister does when they hear what he has said.

Hon. Mr. White: I'm trying to bring some rationale to the member for Sarnia who didn't hear this part of the explanation. I think that we will find that in the Toronto-centred area—

Inerjections by hon. members.

Mr. Stokes: To hear the minister talk they are all on the dole, and I resent it.

Hon. Mr. White: —a lot more is being paid in taxes than is being consumed in services and I think we will find in outlying parts of the province, including northern Ontario, that more money is being expended in services than is being collected in taxes.

Mr. Ferrier: We cannot accept that.

Mr. Lewis: What is the minister talking about?

Hon. Mr. White: Now that's a hunch of mine—

An hon. member: What's the minister's hunch about the next election? Maybe it's as good.

Mr. Deans: Doesn't that tell the minister something about the tax level, even if it were true?

Hon. Mr. White: —and I am as well informed, I suspect, as anybody else in the chamber at the present time.

What is the consequence of this? Well, I'm going to tell the members opposite that I've been in northeastern and northwestern Ontario perhaps a dozen times in the last few years—maybe more than that. Did I hear the Minister of Natural Resources say the NDP leader has been up there once in four years? Is that what I heard?

Hon. Mr. Bernier: Once in four years.

Mr. Lewis: That's a vile slander.

Hon. Mr. Bernier: It's true.

Mr. Lewis: I have been up there with regularity. Even my wife is up there with regularity.

Hon. Mr. White: Well, I've been up there a dozen times or more, Mr. Speaker, and I'll tell you what is happening. Everywhere you look you see new houses, new warehouses, more factories, more roads—

Mr. Gilbertson: And bridges.

Hon. Mr. White: —and hospitals, community colleges and universities, and prosperous, happy-looking people on the sidewalks.

Mr. Ferrier: That's not true.

Mr. E. J. Bounsall (Windsor West): The government tries to close them down.

Hon. Mr. White: So the socialists who come down here and tell us, year after year, how awful everything is in the north, like the member for Cochrane South—

Interjection by an hon. member.

Hon. Mr. White: —are out of touch with reality and certainly—

Mr. Speaker: Order, please. Could we—

Mr. Foulds: Why didn't the minister act upon "the sensible and moderate suggestions" made to his ministry?—and I am using a direct quote.

Mr. Speaker: Order please. I think it would help matters along if we stuck right to the principle of the bill, please.

Mr. Ferrier: On a point of order, Mr. Speaker. I would like the minister to say when I said how awful things were in the north?

Mr. Speaker: Order, please. That is not a point of order.

Mr. Ferrier: He doesn't know what he is talking about.

Hon. Mr. White: Most recently, last night. Another attack on the north and on the mining industry and everything that goes with it.

Mr. Foulds: All we are doing is attacking the government's attitude.

Mr. J. R. Breithaupt (Kitchener): We won't have the member for London South to kick around much more.

Hon. Mr. White: Listen, I'll guarantee personally that we will get the member lots of circulation for that speech in Timmins if he thinks it is going to help him a lot. I'll volunteer to do that.

Mr. Lewis: We would like to have it in a glossy cover, if possible—with his picture.

Hon. Mr. White: In all these communities across the north we find a wonderful flowering of economic and cultural activity, and it's because we have done a number of things in recent years—

Mr. Deans: What has this got to do with the bill?

Mr. Lewis: There is a flowering here, I tell you.

Hon. Mr. White: —including, for the first time in the history of this province, a differential grant rate as introduced in my budget of April, 1973. Hey, don't go. This is for the leader of the NDP. This is to bring him up to date.

Mr. Lewis: Well, I have respectfully listened to the minister since he began, and I am keeping someone waiting. The minister said he was going to get on to the details. Is he at that point?

Hon. Mr. White: I'm dealing with the member's six points.

Mr. Lewis: Has the minister finished with the philosophical differences?

Hon. Mr. White: It's all right. When the member comes back, I'll finish.

Mr. Lewis: Can the minister pollinate his way into the specifics?

Hon. Mr. White: Mr. Speaker, before the leader of the NDP leaves, and while the leader of the Liberal Party is here, I have four amendments to offer, none of which is substantive—

Mr. Foulds: Well, that's normal.

Mr. Lewis: I don't have to stay.

Hon. Mr. White: —and each of which is technical. With the approval of the House, which I must have, I would like to offer these amendments today so they can be in the reprinted bill for the debate in the committee of the whole House on Thursday. So at the end of my remarks here today I will offer those, if I may.

Mr. Reid: Well organized.

Hon. Mr. Bernier: Co-operation, understanding.

Mr. Reid: Well organized.

Hon. Mr. White: The socialist sagamore having left, I will now turn back to the bill itself.

Mr. Bounsall: Sagamore? Would the minister explain that?

Hon. Mr. White: What does the bill do? It is designed to achieve the balance between tax revenues and a healthy mining industry and to utilize natural resources for the promotion of economic development in Canada.

Mr. Foulds: How does a truncated Tory like the minister get away with that?

Hon. Mr. White: The objectives of the policy, Mr. Speaker, are to secure for the people of Ontario a higher return from their natural resources without imposing an unfair burden on the industry should metal prices and profits decline. And what are we doing? We had some bum figures, as the leader of the Liberal Party said. The reason we had bum figures is, first of all, that the industry wouldn't provide us with up-to-date data, for reasons of their own, although in fairness it must be said that they have been co-operation personified since April 9, 1974. Secondly, nobody in the world—not even the speculator from High Park—could have forecasted some of the surging prices in some of these metals markets in the world, following April 9.

Mr. Bullbrook: That's why they are expanding up there. Doesn't the minister realize that?

Hon. Mr. White: However, our estimations were as good as anybody's. When I was able to inform the House last May or June that we were anticipating $225 million in total from the several taxes from the mining industry, now I can tell the House that it is going to be more than $200 million— and that's not a bad estimation. And if the Liberal critics have any better numbers, I would like to hear them. In fact, our forecasting has been very much better than the industry's—

Mr. Bullbrook: Lend us some public service for a year and we'll show the government.

Hon. Mr. White: —and it has been better on previous occasions than the federal government's forecasting, so I don't have to make any apology on that score.

The second objective of the policy is to stimulate exploration, new mining investment and domestic mineral production. I have offered some evidence that that objective is being reached, and there will be more evidence to come, don't worry. Even the ancient member for Thunder Bay, a chap who one can't help but like—

Mr. R. F. Nixon: We don't have that trouble.

Hon. Mr. White: —will be hanging on by his fingernails when the next election rolls around, whatever his fine personal qualities may be.

Mr. R. F. Nixon: That's the campaign chairman talking.

Mr. Stokes: Will the minister repeat that?

Hon. Mr. White: His destructive association with that socialist party will have the MPP for Thunder Bay hanging on to his riding by his fingernails. I think we can knock him off.

Mr. Bullbrook: The Tories couldn't beat him if they ran St. John the Baptist against him.

Mr. Foulds: That shows how desperate they are.

Mr. Stokes: The last time I heard the Tories talk about my riding, they were asking me to run for them.

Hon. Mr. White: About 1923, wasn't it?

Mr. R. F. Nixon: The rabid socialist from Thunder Bay.

Hon. Mr. White: We want to provide economic benefits to northern Ontario and indeed we are so doing—

Mr. Foulds: Is it true that the member for London South is going to run for the NDP?

Hon. Mr. White: —and finally to co-operate to the extent possible with the federal tax system on the mining industry.

I want to pause and deal with that for a minute. The Liberal leader, perhaps to recognize the graceful way in which all of the big brass flowed from Ottawa to Windsor on the weekend—

Mr. Reid: The Tories wish they could have that at their conventions.

Hon. Mr. White: —gave us quite a scolding here last night, saying that we should be accommodating ourselves to a budget which came out after ours. May I recall to your memory, Mr. Speaker, that the Minister of Finance for Canada issued a policy announcement in 1970, saying that the federal government was going to back out of natural resources, they being the constitutional responsibility of the provinces—

Mr. Reid: The minister is talking about everything but the bill.

Hon. Mr. White: —and that they were going to leave it to the various provinces of Canada to establish the total appropriate tax burden on the industry in their province.

Naturally, when we brought in the budget of April 9, 1974, we thought the federal government's policy was intact, there having been no intimation of any description that this was not the case.

Mr. Bullbrook: We are not back to that old stuff again?

Mr. V. M. Singer (Downsview): The one where we were to put on our sweaters and turn down the thermostat.

Hon. Mr. White: Mr. Speaker, you can imagine our astonishment when, without any consultation, the federal Minister of Finance in May, 1974, changed the policy entirely.

Mr. Laughren: The Treasurer didn't consult him about the energy tax either.

Hon. Mr. White: Now, sir, if there was unevenness or unfairness insofar as the mining industry is concerned, where did the fault lie? Let me tell you. Right on the shoulders of the federal Minister of Finance.

Mr. Singer: Oh, yeah!

Hon. Mr. White: In fact, he had the grace to recognize that, because he did back away from certain of those provisions when he reintroduced his budget in the fall and, I think, went back something like 25 per cent.

Mr. R. F. Nixon: The mining industry blames the minister—and so does the present Treasurer. That's why he won't stay in here and listen to the minister.

Hon. Mr. White: We have gone from a 15 per cent flat mining tax rate, which in 1973-1974 produced $46 million, to a graduated tax rate ranging from zero to 40 per cent producing $144 million, which is to say three times as much. And when one adds in the corporation income tax and capital tax, the total amount of taxation paid by the mining industry is expected to be $202 million.

My hon. friend, the member for Cochrane South, gave his entire speech on the basis of we were raising these taxes from $88 million to $144 million and was complaining, Mr. Speaker—I couldn't believe it—that we hadn't quite doubled the mining tax.

Mr. Ferrier: I never made that remark.

Hon. Mr. White: Since this was the premise underlying every single remark he made in his rather lengthy speech, I suppose the conclusions flowing from the assumption are likewise incorrect. Anyway, I tell him now that while he is complaining that we haven't doubled it even, we have in fact more than trebled it, as his leader was bright enough to know.

Mr. Laughren: The government is still giving Inco more than the people of Ontario.

Hon. Mr. White: We are collecting a lot more money and we are leaving the smaller companies—as I say, those with less than $1.3 million in profit—in a better position than they were before.

Mr. Singer: That's what makes him so lovable.

Hon. Mr. White: We have established regulations, soon to be published for the first time, which will remove any discretion from the application of these taxes and the processing allowances. This has been a difficult, complicated undertaking quite understandably, and this is the reason, no doubt, it was never done before. However, we are going to have printed regulations which can be reviewed by members of this Legislature and members of the public. It will provide for disaggregation of new mines.

Why is that? It seemed absurd to us to say to a firm like Inco you have to pay the top marginal rate of 77 per cent if you yourselves

open a new mine, but if Eaton's opens a new mine or if Stelco opens a new mine or if General Motors opens a new mine, they will come in at the zero rate and earn their way up the scale. So for the sake of consistency and fairness, and once again to encourage exploration, development and production in the north, we have said if you open a brand new mine, you stand on all fours with Eaton's of Canada or any other such company that might devote—

Mr. Laughren: What about a new shaft in the same ore body?

An hon. member: We've been shafted for years.

Hon. Mr. White: Well there are a number of points here to qualify for disaggregation, and I think I would like to give them to members now. This will bring a measure of equity as between large companies and small companies, and between companies which are mining firms as such and companies which are in the private sector with concentration in other fields of activity.

The following projects would qualify for disaggregation as being prepared for in the regulations:

1. A mining investment designed to increase ore production from a mine by 30 per cent over the previous high.

2. A mining investment of at least 25 per cent of the original cost of depreciable mining assets of a mine.

3. Mines inactive on Apr. 9, 1974, that are reopened; or if closed down after that date remain closed for five years before reopening.

4. Any other major mining investment as determined by the Lieutenant Governor in Council.

Well now sir, the processing allowances, which were eight per cent for concentrating in Canada, 16 per cent for smelting in Canada, and 20 per cent of course cumulative for refining in Canada, and which were eight, eight and eight outside of Canada, are now very substantially revised. Members can't call this parochialism, because we are singling out a less developed region, namely northern Ontario, for this benefit.

This benefit will not apply to southern Ontario, and the charges made by the Liberals that we are in some way advantaging this province of ours and disadvantaging other provinces simply isn't true. The Province of Quebec stands on the same grounds exactly as does the southern part of this province.

We have given a special advantage to northern Ontario and I make no apology for it. In northern Ontario we are going to provide processing allowances of eight per cent for the concentrating stage, 16 per cent to the smelting stage, 30 per cent instead of 20 per cent of the refining stage, and 35 per cent instead of the old 20 per cent to the further processing stage. Now that works out to a very substantial amount of money per worker per year; and also a useful amount of money—a significant amount of money—when one takes into account the multiplier factor as each new mine worker is augmented by doctors and barbers and automobile mechanics and so.

Mr. Foulds: It isn't necessarily so. What advantages do they have in the north if they don't have houses?

Mr. Reid: Build us some houses.

Mr. Stokes: The government holds back the quality of life in the north.

Hon. Mr. White: That is the kind of remark that really is so negative and so injurious to the north. I go around this province preaching what a great spot northern Ontario is, and the northern Ontario members from the socialist benches spend most of their time saying how bloody awful it is.

Mr. Laughren: The government is not doing anything about it either except for what the NDP squeezes out of it.

Mr. Ferrier: We say how bloody awful the government is.

Mr. Foulds: We say how bloody awful the government is to the north.

Hon. Mr. White: I don't think that's a clever way to sell northern Ontario. At any rate, Mr. Speaker, perhaps I've given enough information on that particular matter. I now want to tell members the story of the industry.

Mr. Laughren: That's all he has been telling us so far.

Hon. Mr. Bernier: We are winning unanimous approval.

Hon. Mr. White: The industry was in a small state of shock on April 10; and then when Mr. Turner came out with his budget in May, they were furious. I don't blame them much, because frankly the federal government had double-crossed them—

Mr. R. F. Nixon: The minister had better get right down to New York and tell them about that.

Hon. Mr. White: —at the same time that it was double-crossing the provinces. The new total was a pretty heavy burden. However, as I said, in fairness, Mr. Turner did correct that to some extent in his fall budget.

Well we didn't put them out of business. I said privately and publicly in the months of the spring of 1974 that we weren't going to put the mining industry out of business in this province. Texasgulf has done pretty well. Their after tax profit in 1973 was $74 million and their after tax profit last year was $147 million.

Mr. Ferrier: A really penurious company!

Hon. Mr. White: And I'm simply delighted.

Mr. Laughren: I know the minister is.

Hon. Mr. White: Their taxes to all sources, as taken from their own reports, have gone from $47 million to $122 million.

Mr. Ferrier: How much of that's in Ontario?

Hon. Mr. White: And I'm simply delighted.

Mr. Ferrier: How much in Ontario?

Mr. Laughren: We're saying it should go to the people.

Hon. Mr. White: At Inco the profits have gone, after taxes, from $227 million to $306 million. Good show!

Mr. Laughren: And the minister is delighted about that too.

Hon. Mr. White: Noranda's profits for nine months have gone from $79 million to $128 million, and Denison's for nine months from $6 million to $9 million. They're doing very well and I'm happy that they are.

Mr. Laughren: What about the workers there?

Hon. Mr. White: If these mining commodity prices go down precipitously, then I suppose some Treasurer at some future time will accommodate himself to those sets of circumstances by altering the rate, as one is required to do from time to time.

Mr. Ferrier: He will probably abolish the taxes then.

Hon. Mr. White: The question was raised by the Leader of the Opposition as to why the Treasurer is not here to debate this bill himself. Well the answer is very simple. He has an enormous amount of work to do preparing his next budget, dealing with Ottawa, dealing with municipalities and so on. He was not familiar with the details of the bill in the way I was, I having been the Treasurer responsible for introducing it.

Mr. Bullbrook: I think he could grasp it in a hurry.

Hon. Mr. White: For these reasons he asked me to do it. I was amused, because while the leader of the Liberals was saying the bill should be debated by the present Treasurer, the hon. member for Lakeshore was saying it should be debated by the Minister of Revenue.

Mr. R. F. Nixon: He wouldn't permit the minister to take the last corporation bill through committee.

Hon. Mr. White: I think somebody else wanted it debated by the Minister of Natural Resources. I'm a sort of compromise candidate.

Hon. Mr. Bernier: The minister is doing a great job.

Mr. Laughren: That wasn't from us, I'll tell him. He is not fit to hold office, let alone be a minister.

Hon. Mr. Bernier: The minister is going to get unanimous support and unanimous approval from all sides of the House. I can see it coming.

Mr. Laughren: The way the Minister of Natural Resources has treated the workers in the mining industry he'll be lucky to have a seat.

Hon. Mr. White: The Leader of the Opposition said the industry must have a level of profit to permit expansion. I think, Mr. Speaker, that this bill and these rates do provide that level of profit, as evidenced by the figures I have read into the record here.

Mr. Ferrier: The bill will get the minister lots of campaign funds from the mining industry in the next election.

Hon. Mr. White: As for the hon. member for Cochrane South, what a wonderful fellow for a mining town to send down to Toronto. He says taxes are too low and there are too many allowances.

Mr. Bullbrook: The minister comes from a university town and they're not too happy about it.

Hon. Mr. White: However, he won't be back after the next election, so I'm not going to spend a lot more time on him.

Mr. Bullbrook: Neither will the minister.

Mr. Stokes: Don't count on it.

Hon. Mr. White: The hon. member for Nipissing brought out Liberal policy No. 2, when he said the Province of Ontario should own between 30 per cent and 40 per cent of the mining companies. That was an interesting idea. That's the worst of both worlds to own 30 per cent or 40 per cent and let the other guys own 60 per cent or 70 per cent. That I think would be the most asinine expenditure of public moneys imaginable.

Mr. Bullbrook: This government has five per cent and they have 95 per cent, is that right?

Hon. Mr. White: The hon. member for York Centre, however, came out with Liberal policy No. 3, when he said we should enter into a partnership. I guess that means 50-50—he didn't say 50-50—but I think he was talking about a co-equal partnership with the mining industry.

Mr. Stokes: Partnership? One horse won't run.

Hon. Mr. White: Was there a fourth policy expressed here today? I thought there was a fourth policy emanating from one of the Liberals here today. Maybe not.

Mr. Breithaupt: The minister's humour is deadening.

Hon. Mr. White: I have explained how the royalties lead to highgrading. Now I am looking at the notes I made on the member for Nickel Belt.

Mr. Bullbrook: Now I can see why this minister has carriage of this bill.

Mr. Singer: It was too much for the Treasurer.

Hon. Mr. White: We did have a mining revenues payment system, as touched upon briefly by the member for Nickel Belt. It didn't work at all well. The select committee on taxation in 1968 recognized the imperfections and urged there be a better way found. The better way found was to scratch the Mining Revenue Payments Act and bring in a new Property Tax Stabilization Act with a northern Ontario component.

This has increased unconditional grants to the mining communities. It has provided more money and it has provided these additional moneys more sensibly, because frankly under the old Mining Revenue Payments Act every year there was dickering between the Treasurer of the day and the mining communities involved, there was no rhyme nor reason, there was no objective test, there was a wrestling match and finally something was agreed upon that left everybody unhappy. So now we have a much more sensible system.

Mr. Stokes: I told the government that in 1968 and they told me I didn't know what I was talking about. I told them that in 1968.

Hon. Mr. White: Did the member tell us that in 1968? Well, we did it, we did it for him. It took us a little while—

Mr. Foulds: Yes, it always does.

Hon. Mr. White: —but we are not as quick as he is, we are not as alert. Now that the member has learned it and taught us, would he tell his compatriot from Nickel Belt? Then we will all be happy.

Mr. R. F. Nixon: We are going to miss the minister.

Hon. Mr. White: Well now, the member for Thunder Bay is a particular friend of mine, and he asked what was the government doing for northern Ontario? My distinguished colleage, the Minister of Natural Resources, spent half an hour or thereabouts detailing some of the accomplishments in the north. I have touched upon some of them myself, such as a new grants for northern Ontario, the new tax allowances for northern Ontario mining firms.

Mr. Foulds: It is too late.

Hon. Mr. White: —the newly announced expansions taking place all over the top of the north—

Mr. Foulds: Yes, without consultation.

Hon. Mr. White: —that are going to turn northern Ontario, Mr. Speaker, into a veritable paradise within a decade.

Mr. Breithaupt: Hallelujah!

An hon. member: Those who want in, stand in line.

Mr. Laughren: The hyperbole is too much.

Hon. Mr. White: It is going to be wonderful.

Mr. Foulds: Yes, there is going to be no snow, no ice, no mosquitoes.

An hon. member: A new government.

Mr. Breithaupt: Is the minister going to move there?

Hon. Mr. White: You can see it in Sudbury right now; you can smell it in Timmins, when its member is out of town—

Mr. Breithaupt: You can smell it right here.

Hon. Mr. White: —and in every community in northern Ontario things are booming.

Mr. Foulds: Is the minister going to get rid of the smell in Dryden? Is he going to get rid of the mercury pollution?

Hon. Mr. White: Mr. Speaker: I am informed that I don't actually have to read these technical amendments into the House record, but rather provide them to the Clerk so that the bill can be reconsidered in the committee of the whole House with the amendments included in the reprinted version.

Mr. Stokes: At least give us a copy of them.

Hon. Mr. White: I will ask the page to distribute this now.

Mr. Speaker: I am not sure, Mr. Minister, whether it is proper to do that or not, but certainly I think if you have acquainted the House with the contents—

Mr. Breithaupt: Perhaps the minister could either read his amendments as a convenience, or at least provide us with copies.

Mr. Speaker: You know, you just took the words out of my mouth. As long as we are acquainted with the contents, I think the bill has been already printed, preparatory to the other, and this will give the members an opportunity to study the amendments.

Hon. Mr. White: I am going to wind up, sir. This has been a very good debate—

Mr. Deans: On a point of order, if I may, regarding the minister's amendments. I don't quite understand why it is necessary to reprint the bill with the amendments. What is the purpose of that?

Mr. Speaker: No, we just said that would not be done.

Hon. Mr. White: This bill is going to committee of the whole House on Thursday and we could very easily have these amendments included in the redraft. They are technical amendments, they are in no way substantive amendments.

Mr. Deans: Is the minister going to provide us with copies?

Hon. Mr. White: Yes. That is the reason for doing it this way.

Mr. Breithaupt: May I suggest, Mr. Speaker, that if there is a matter of expense or time, and there may well be further amendments suggested which the minister may accept, that one need not go through the entire reprinting at this point, since the bill would have to be reprinted finally anyway.

Hon. Mr. White: Whatever Mr. Speaker and his officials decide on suits me.

Now, sir, very briefly, what are we trying to do? We're trying to increase the revenues from the mining industry and we are trebling the revenues from the mining tax. We are increasing the revenues from the mining tax from $46 million to $144 million, and we are increasing the total tax revenues from the mining tax, the corporate tax and the capital tax, to $202 million.

Mr. Deans: That's what they invested in Syncrude.

Hon. Mr. White: That's what I call a big step. At the same time, we are leaving our large corporations competitive in the markets of the world, as proven by the figures I've given.

Thirdly, we are decreasing the tax on a substantial number of small mining companies, upon which depend some of the small communities of northern Ontario. We are providing very large processing allowances against the large marginal rate of 77 per cent tax, thereby inducing the development of a secondary manufacturing industry in northern Ontario in a way that has never been attempted before. It's going to work and it has started to work. I'm not going to apologize for that either.

So, with this one bill, we bring in a completely new system of mining taxation which is going to bring about a new flowering of the north, and I venture to say, brave as I may be—

Mr. Laughren: Show us a guarantee of that in the bill.

Hon. Mr. White: —foolish as I may be, I venture to say that 10 years from now the member for Cochrane South will say—

Mr. A. J. Roy (Ottawa East): What a great man the minister is.

Hon. Mr. White: —Feb. 11 was an historic day for northern Ontario.

Mr. Speaker: Order please. The motion is for second reading.

The House divided on the motion for second reading of Bill 111, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Apps	Burr
Auld	Cassidy
Bales	Deans
Beckett	Dukszta
Belanger	Ferrier
Bennett	Foulds
Bernier	Germa
Braithwaite	Laughren
Breithaupt	Lawlor
Brunelle	Lewis
Bullbrook	Stokes
Campbell	Young—13.
Carruthers	
Davis	
Deacon	
Downer	
Drea	
Dymond	
Eaton	
Edighoffer	
Evans	
Ewen	
Gaunt	
Gilbertson	
Good	
Haggerty	
Hamilton	
Handleman	
Havrot	
Henderson	
Hodgson (York North)	
Irvine	
Jessiman	
Kennedy	
Kerr	
Leluk	
MacBeth	
Maeck	
McIlveen	
McNie	
Meen	
Morningstar	
Newman (Windsor-Walkerville)	
Nixon (Dovercourt)	
Nixon (Brant)	
Nuttall	
Parrott	
Paterson	
Reid	
Root	
Roy	
Ruston	
Sargent	
Scrivener	
Singer	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Smith (Nipissing)	
Snow	
Stewart	
Taylor (Prince Edward-Lennox)	
Taylor (Carleton East)	
Timbrell	
Turner	
Villeneuve	
Walker	
Wardle	
White	
Winkler	
Wiseman	
Worton	
Yaremko—73.	

Clerk of the House: Mr. Speaker, the "ayes" are 73, the "nays" are 13.

Motion agreed to; second reading of the bill.

Mr. Speaker: It is my understanding that it will go to committee of the whole House. Is that right, Mr. Minister?

Agreed.

Interjection by an hon. member.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Before you see the clock, Mr. Speaker, earlier today I suggested that we would communicate in regard to sitting tomorrow to hear speakers who care to make a contribution to the budget debate. There is an agreement reached. I would suggest that maybe you'd like to make it an order of the House.

Mr. Speaker: Will you acquaint us with what that is so I will know too?

Hon. Mr. Winkler: The House would sit tomorrow afternoon to hear the continuation of the budget debate without routine orders.

Mr. Speaker: Is that agreeable?

Agreed.

Mr. Stokes: From 2 to 6?

Hon. Mr. Winkler: Yes, from 2 to 6, that's right.

Clerk of the House: The second order, House in committee of the whole.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

House in committee on Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

It being 6:05 o'clock, p.m., the House took recess.

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No. 180



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Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, FEBRUARY 11, 1975

The House resumed at 8:05 o'clock, p.m.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT
(continued)

Mr. Chairman: When the committee rose at 6 o'clock we were just starting to consider Bill 179.

Are there any comments, questions or amendments to any section of the bill, and if so, what?

Mr. E. J. Bounsall (Windsor West): Section 1.

Mr. T. P. Reid (Rainy River): I will defer to my colleague the member for Windsor West.

On section 1:

Mr. Chairman: The hon. member for Windsor West.

Mr. R. F. Nixon (Leader of the Opposition): The leader of the NDP.

Mr. Bounsall: A few years yet to go on that.

On subsection 2, Mr. Chairman, section v, in committee, we discussed the possible change of "normal period" to "work week", in terms of the casual person who is employed and not covered by the contract. I can't quite recall the rationale expressed there as to why "normal period" was a better phrase than something like "work week". When you explained "normal period", "work week" kept creeping into the phrases. Why is "normal period" again a better designation than "work week"? Does it keep it more generalized—and make it easy for comparison with other employees—than to specify it in terms of a work week?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I think that's right. I think in the ordinary course of events an employer would be looking at the work week in any event.

Mr. Bounsall: Would he be looking at the work week in any event in most circumstances?

Hon. Mr. Winkler: I would think so, yes.

Mr. Bounsall: So that if there is something strange about the particular job, then a different period could be looked at, but normally it's the work week?

Hon. Mr. Winkler: Yes.

Mr. Chairman: Any further comment on subsection 2, section v?

Mr. Reid: Subsection viii, Mr. Chairman.

Mr. Chairman: Any other comments prior to subsection viii?

Mr. Reid: Mr. Chairman, we went over this fairly lengthily in the committee. Has the minister anything to tell us this evening about what he is going to do concerning the employees who work in the legislative building under the auspices of the Speaker? Have you been able to unravel that?

Hon. Mr. Winkler: Well, Mr. Chairman, the short answer to it is no. They are dealt with in this Act and we will have to deal with other people, or another department of the government, to take care of the other Act.

Mr. Chairman: Any further comment on this subsection?

Mr. Bounsall: Thanks, Mr. Chairman. On this section, I quite appreciate the amendment of the acting committee dropping the original phrase "persons employed in the office of the assembly". That's a step forward and obviously the minister can take his time considering any other changes if they are required.

But have we made it quite clear that the persons in the Office of the Assembly, as well as those 18 other persons who were stewards, tour guides, cooks and clerks, are in fact not Crown employees?

Hon. Mr. Winkler: Yes, I have said that they are covered for the purposes of this Act,

but we will have to make that change in the other Act, which I will endeavour to do, Mr. Chairman.

Mr. Chairman: Agreed?

Mr. Bounsall: That is all on subsection viii, Mr. Chairman.

Section 1 agreed to.

Mr. Chairman: Are there any other comments, questions or amendments to any other section and if so, which one?

Mr. Reid: Section 3, Mr. Chairman.

Section 2 agreed to.

On section 3:

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: Mr. Chairman, I have an amendment to section 3, subsection 6 of the bill.

Mr. Reid moves that section 3, in the third line of section 6 of the Act, after the words 'terms and conditions of employment" be amended by adding "including pensions and superannuation."

Mr. Reid: I'd like to comment. Again, we don't want to go over the whole debate, Mr. Chairman, but very simply, it is the position of the Liberal Party that the civil servants should have some say in the investment of their moneys, some $680 million – close to three-quarters of a billion dollars–in investment funds for their pensions and superannuation. I seemed to get the feeling and impression from the minister when we discussed this in committee that he felt the civil servants would run out and invest this money in the nearest penny stock or some other reeling enterprise like the Ontario government, or something like that.

Mr. R. F. Nixon: Krauss-Maffei perhaps.

Mr. Reid: But it is the feeling of this party that because these are funds that belong to the civil servants, funds that they contribute to the pension fund, surely along with the other rights–to conditions–

Mr. F. Laughren (Nickel Belt): Speculation in land.

Mr. Reid: –of employment and so on–they should have the right to have a say in regard to their pensions and superannuation. Some method can be worked out so that it isn't just a consultation by the minister, or whoever is doing the negotiating for him, but that they have a real say and some strength in where those funds are invested and what happens to them.

Mr. Chairman: Is there any further discussion on this amendment?

Mr. J. A. Renwick (Riverdale) I think there must be some discussion. I mean, after all, this amendment has been proposed. Is the minister going to comment on it or not? Are we just going to have one of these bland evenings together in the assembly?

Hon. Mr. Winkler: Exactly the way you want it. This was discussed in committee and I think I made–

Mr. Renwick: We would like your comments. We weren't all in committee.

Mr. R. F. Nixon: Weren't you in the committee?

Hon. Mr. Winkler: I know that. I think I made my position very clear at that time. I am not agreeing with what the hon. member said, of course I am not. The matter of pensions is very important to us, as far as the employees are concerned. We don't say for one moment that we are not prepared to discuss the matter, because we are. I assume from what you said that you reject that sort of proposal. However, we think the fact that we are prepared to discuss it with them comes a step closer and we are prepared to listen to what the members of the CSAO have to say and to consider any suggestions in this regard.

In the meantime, if we changed it I think I have to make it quite clear that the government would be withdrawing its support of the guarantee of the fund. So as far as I am concerned, at this time I would have to vote against your amendment because I think we have come a fair step forward as we are.

Mr. Reid: I don't want to prolong this, Mr. Minister, but would you not agree, really, that it would be hardly going overboard if you made provision on the board, or whatever controls the superannuations and pensions, for a member from the Civil Service Association as a voting representative, or one of two or of three, controlling those funds? Surely it is only right and just that they have more than just the right to consultation with the government when we are dealing with this kind of money?

Hon. Mr. Winkler: I am not certain whether I said this or not, but I believe I said in committee that I am just not satisfied that

the entire membership would particularly want it this way. I am prepared to open it up for discussion.

Mr. Renwick: Yes, it would.

Mr. R. F. Nixon: Don't you think they have a democratic executive?

Mr. D. M. Deacon (York Centre): Would the minister agree with it if the majority did indicate that they wanted to have control over their own funds and that they should have that right? I don't think that these government guarantees are a good idea myself. These funds should be operated by the employees.

Mr. Renwick: Are those your party's views, not your personal views? We get your personal views most of the time.

Mr. Chairman: Order, please.

Mr. Deacon: I am speaking as the member for York Centre. I haven't consulted my party as to whether they share these views or not.

Mr. R. F. Nixon: Where is the member for Riverdale this week? Are you still at odds with your caucus, by the way? What are you going to do about that?

Mr. Deacon: He is the expert in standing by himself.

Mr. R. F. Nixon: He's like the member for High Park (Mr. Shulman). He never goes to his caucus.

Mr. Chairman: Order, please.

Mr. Deacon: I would like to bring forward the opinion that it's a mistake for us to keep on encouraging groups to rely upon a government guarantee of their pensions, because this is not developing self-reliance and all the qualities and characteristics that I would hope Canadians would develop. I think that by putting this pension fund, by putting the OMERS, by putting the teachers' fund, putting all these in a situation where they are being run independently, where our role as employer is one of contributing an equal amount or even a greater amount to the pension but leaving it up to them to run it, would be a great step forward. It really would, and I hope the minister, if he finds that sort of sentiment on the part of the association and its membership, would definitely agree to go along with it.

Hon. Mr. Winkler: I just say that all pension funds haven't been all that successful, but I think—

Mr. Deacon: No, they certainly haven't been, under government, necessarily successful.

Hon. Mr. Winkler: I know what members are saying, with the exception of the fact that I think this is a step forward in the interests of the employee groups we are discussing.

Mr. Chairman: The hon. member for Windsor West.

Mr. Renwick: Mr. Chairman, if I may, I take it that what the member for Rainy River would like, and I think we would be totally in support of his position, is some representation—

Mr. R. F. Nixon: Has the member checked it out with the member for Lakeshore (Mr. Lawlor)?

Mr. Renwick: —with respect to the question of the determination of pensions, and I think that's all he's asking for. I think he agrees with us that's all we can possibly get at this time for the civil service of Ontario.

Would the minister be prepared to accept an amendment that would allow some representation from the Civil Service Association of Ontario, regardless of how it is drafted, on the question of the determination of pensions and superannuation? I take it that's what the member for Rainy River would be prepared to accept.

Mr. Reid: I am concerned, Mr. Chairman, if I might clarify my position, that the Civil Service Association have some representation, not only in future negotiations on pensions and superannuation but that they have some say in the present situation where the fund is already some three-quarters of a billion dollars.

Mr. Renwick: For what it is worth, we are in agreement with you depending on the wording. I am sure the minister is prepared to accept that. Even a moment's reflection should convince the minister of its worth.

Mr. Chairman: The hon. member for Windsor West has the floor.

Mr. Bounsall: Mr. Chairman, I would certainly be pleased if the minister would accept an amendment of that sort, or at least indicate clearly to what extent he would ensure that the bargaining agent, in this case the Civil Service Association, had in fact representation and a say in the investment of those pension funds.

If the minister will indicate, as he did so often as we went through the bill in committee, that he will consult in depth or set up a joint consultative committee, and give us some idea of the make-up of that committee, and assure us that committee will in fact contain representation from the association and have a real say in determination of where their pension moneys are placed, I would be quite interested in hearing that.

I am almost tempted to let the argument stop there. I think it's important we get that established and the minister give us his current feelings on that.

On the other hand, the stand of our party has always been, with respect to things negotiable, that matters that can be placed on the bargaining table by the bargaining agent and that matters that are exclusively the rights of management, should in fact be things that are completely bargainable in that one bargains through and reaches a management rights' clause albeit, but one which has been reached as a result of bargaining, and not having anything in the Act which puts limitations on what is bargainable from the point of view of the employees' association and what is exclusively the right of management not to bargain.

I would very much prefer, Mr. Chairman, that in this section everything after the word "employer" be deleted, so that this section would read: "Upon being granted representation rights, the employee organization is authorized to bargain with the employer." So that the matters which are negotiable and which can be negotiable, and what are management rights and what aren't, are in fact sorted out by the two parties at the bargaining table.

You know, that wouldn't be a bad procedure to be going through right at the moment. I think there was a certain large degree of understanding reached between the minister and your negotiating team, and the representatives of the Civil Service Association. At this stage in time, if one said, "Okay, let's delete section 6 and section 17 of the original bill [the first clause being section 3 in this bill], let's sit down now and bargain what is negotiable in our various contracts," I think there would be strong bargaining on both sides. But I think the faith which is now starting to emerge would result in a better solution, and an ongoing solution, to the problem. It would never be off the bargaining table at any time; through the bargaining procedure, they would arrive at what is considered to be a management right and what is considered to be fully negotiable. I would like to see the minister try that, because I gathered from the minister in committee that a fair degree of good faith was building up on both sides now.

In committee, the minister certainly seemed very reasonable on many of these points and certainly, at the moment, he seems to be a person whom I could put a fair degree of trust in as being reasonable on this point. I would hope that the minister would see his way clear to letting the two parties bargain about what is negotiable. To that end, Mr. Chairman, I would like to move an amendment to the amendment.

Mr. Bounsall moves that all the words following "employer" in the second line be deleted.

Mr. M. C. Germa (Sudbury): That sounds reasonable.

Mr. Laughren: Very good amendment.

Mr. Germa: I'll support that.

Mr. Renwick: Does the mover of the amendment support that? What does the hon. member for Rainy River say about that?

Hon. Mr. Winkler: Mr. Chairman, I think I made my position quite clear. We have to deal with a number of employee organizations, the CSAO of course being the largest of all; and following the words of the hon. member for Windsor West, I think the first stage is the discussion of the question with these agents, as I have said on more than one occasion now. I would prefer to follow that course of action; therefore, I am not prepared to accept the amendment.

Mr. Laughren: It would be a major act of good faith on your part.

Mr. Chairman: Mr. Bounsall has moved an amendment to the amendment, that all the words following "employer" in the second line of section 3(6) be deleted.

All those in favour of the motion—

Mr. J. E. Stokes (Thunder Bay): Before you put the motion, Mr. Chairman, if the amendment to the amendment is lost, and the amendment is lost, will it preclude any further debate on the section?

Mr. Chairman: No, just on the amendment. On a technicality, if the second amendment did carry, it should carry the section. This would be the procedure.

Mr. Stokes: On that basis I'll take my chances.

Mr. Chairman: We'll deal with the amendment to the amendment.

All those in favour of Mr. Bounsall's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Do we have the consent of the committee to stack the votes?

Some hon. members: Yes, stack them.

Mr. Reid: What about my amendment?

Mr. Chairman: Is there any further discussion of Mr. Reid's amendment before I place the motion?

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: I would ask the minister to reconsider the decision not to include the suggestion of my colleague from Rainy River. The suggestion had been discussed at some length during the committee and I think it is an extremely worthwhile one. I look back in communities throughout the province where policemen and firemen, once they are retired, no longer have any rights, nor even has their association any rights to bargain for pensions and superannuation. It puts them in the invidious position with the rising cost of living that they may reach the point where their pensions are actually below the poverty level.

I think that by accepting the inclusion of pensions and superannuation you give the privilege—I shouldn't say privilege—the opportunity for the civil servants at least to bargain on something to which they have contributed. These are their funds that you are handling and not your own. Surely they should have some say as to how they may be invested and as to what types of pensions and superannuations they could negotiate with you through the collective bargaining procedures.

Mr. Chairman: Is there any further discussion on Mr. Reid's amendment? The hon. minister.

Hon. Mr. Winkler: I should just like to respond to that. I am not turning down all the suggestions—of course I am not.

Mr. Stokes: You are just simply not accepting them.

Hon. Mr. Winkler: I am simply saying that we are not all that unique, because there is only one jurisdiction in Canada where it is negotiable. That is no excuse, but I am just saying, Mr. Chairman, to those who are participating in the debate that I think this is a first step forward, I am not saying we won't look at it again.

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Could I ask the minister, is there any consultation at all now occurring with the Civil Service Association of Ontario with respect to the investment of their pension moneys? Is there any informal talking, if that is the way one has to refer to it, with respect to the investment of their pension moneys, and/or is there any sort of consultative committee? That is not the way I would normally recommend that it occur, but I would like to see something much more formalized. But is this going on now and is it something—

Mr. Renwick: Can we have an assurance that it is not going to be from these funds that the Syncrude investment is going to be made? Could we have this?

Mr. Bounsall: What does take place now? Could we hear the minister's comments?

Hon. Mr. Winkler: There have been discussions regarding pensions but not the investment policy. I say to you that the discussions that I am suggesting take place will hit a broader range.

Mr. Reid: Are they in progress right now?

Hon. Mr. Winkler: As time goes by, I will let you know.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, is it the practice of the government to hire outside advisers to invest these funds or are these funds just channelled into government of Ontario securities that, in effect, are self-borrowing by the province at rates it determines to be advantageous?

If that is the case, there is really very little basis for the government to indicate that it has to guarantee these pensions. It is subsidizing itself through the investment of these funds, unless it does use outside objective advisers, is it not?

Hon. Mr. Winkler: To the best of my knowledge, we have had them analysed by

outside advisers, but it is the government's prerogative.

Mr. Deacon: It is not an outside management organization that is investing the funds? You occasionally have somebody decide whether the funds are guaranteed or safe or something of that sort? I don't think that is sufficient and I urge the government to move over to where they are independently operated.

Mr. Chairman: All those in favour of Mr. Reid's amendment will please say "aye".

All those opposed will please say "nay".

In my opinion, the "nays" have it.

Shall we stack this vote?

Agreed.

Mr. Chairman: The section will carry. Is there any further discussion on any other section?

Mr. Stokes: The section won't carry. You gave me that assurance.

Mr. Chairman: We won't have any further discussion on this.

Mr. Stokes: On section 3 of the Act?

Mr. Chairman: I understood we were going to take the discussion prior to the vote and we have actually had the voice vote. It would seem to me the discussion—

Mr. Reid: Not on the amendment.

Mr. Stokes: No, no. I'm not on the amendments. You assured me that if the sub-amendment didn't carry that there would be further discussion allowed on section 3.

Mr. Renwick: You said you would take your chances.

Mr. Chairman: I think you perhaps misunderstood the Chair. I will permit a discussion at this particular time, but it would seem to me that when the amendment is defeated the section would automatically carry. We've had the voice vote on it.

Mr. Stokes: You gave me the other assurance that if the sub-amendment didn't carry, further debate would be permitted.

Mr. Reid: That is true.

Mr. Chairman: I said that we would deal with the sub-amendment and then we would—

Mr. Stokes: I only have a brief comment on it.

Mr. Chairman: Okay. The Chair will recognize the hon. member.

Mr. Renwick: Fine. There are a couple of points I want to raise too.

Mr. Stokes: Section 3 of the bill dealing with section 6 of the Act makes specific reference to some of the items that are negotiable and among them is the mileage rate payable to an employee for miles travelled when he is required to use his own automobile on employer's business.

In a recent change in the manual of administration that was put out by the government recently it did increase the mileage allowance generally across the province, and it was increased to 19 cents per mile in northern Ontario for non-union people and 15 cents a mile for those who were covered.

Interjection by an hon. member.

Mr. Stokes: That's the way I read it. There is that discrepancy of four cents a mile. It's 15 cents a mile for somebody who is covered by this agreement and 19 cents a mile for other personnel who would be in a higher category.

I'm wondering why the discrepancy and why the apparent discrimination against somebody who is covered by this agreement, compared with somebody in a supervisory capacity, a branch head or something of that nature. Surely the minister must appreciate that. As I say, while I appreicate that it is a negotiable item, why is there this discrepancy where one civil servant is paid 15 cents a mile while others are paid 19 cents a mile? It costs the same amount of money to operate both automobiles and surely there should be the same indemnity. It really shouldn't have to be a negotiable item.

If you're paying 19 cents a mile for those civil servants who are not covered by this agreement why would you restrict those covered by this agreement to 15 cents a mile? It seems to me an anomaly that should be corrected.

Hon. Mr. Winkler: Yes, Mr. Chairman. I am not sure of my dates, for I would like to quote you the dates. That offer has been made and has not been accepted by the CSAO—that very offer, the amounts of money that you made reference to. As a matter of fact, I think our offer was made in retroactivity so that if it were accepted we could pay back to the date that we made the offer.

I can't remember exactly what that date was but it is some time ago now.

There were two raises; April 1, 1974, was the first one and Aug. 1, 1974, was the second one. And that offer stands.

Mr. Chairman: Is there any other discussion on any other section of the bill?

Mr. Renwick: Yes, there is.

Mr. Chairman: The hon. member for Riverdale, what section?

Mr. Renwick: On the same section, if I may; section 3 of the bill.

What conceivable reason is it that any elective public office or political activity is excluded from the area under which bargaining can take place?

Hon. Mr. Winkler: Would you explain that please, may I ask?

Mr. Renwick: As I read the new section 6 which is clause 3 of the bill, we can assume that the employee organization can bargain about any number of things, but at the very tag end it said: ". . . and the conditions applicable to leaves of absence for other than any elective public office or political activities . . ."

If I read that correctly that means that those matters are matters to be retained entirely for the discretion of management. I can't understand why questions of leaves of absence for the purposes of someone running for elective political office or engaging in political activities should be proscribed by the government as a matter of managerial concern. Perhaps I haven't read the section correctly but that's my understanding of it.

Hon. Mr. Winkler: I've been informed that leave of absence is covered by the Public Service Act, Mr. Chairman, and I'll to leave it in that regard. I thought maybe you were talking to the earlier part of that section. But that's the answer I have for that particular point. Leave of absence for elective offices is covered by the Public Service Act.

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Yes, on that same point, Mr. Minister—that is covered by the restrictions in the Public Service Act. We are not discussing that Act, Mr. Chairman, I point out, but would the minister give a commitment that sometime early in the next session amendments would come in to the Public Service Act, which deals with this whole area of an individual's political activity?

Here in this bill we do talk about the restrictions on the employee organization, the CSAO, and this bill looks fine except for that provision—because we don't talk about the individual's rights to do anything or not do anything. Then you turn to the Public Service Act and there are all the restrictions on the individual. Could you give us a commitment to do something very soon about the Public Service Act and the restrictions therein?

Hon. Mr. Winkler: I won't make the commitment that the hon. member asks for, but what I will make is that I will discuss it with my colleague.

Mr. Bounsall: Which minister is it who will be bringing these amendments in? Is it the Minister of Labour?

Hon. J. P. MacBeth (Minister of Labour): I will be glad to discuss it with my colleague.

Mr. Bounsall: Did the Minister of Labour say he'd be glad to do it? Did I catch that?

Hon. Mr. MacBeth: No, glad to discuss it.

Mr. Renwick: He would be glad to do it but the Act isn't under his ministry.

Hon. Mr. MacBeth: I said I'd be glad to discuss it, but it isn't under my ministry.

Mr. Chairman: Any further discussion on this section?

Mr. Renwick: I am not certain I can quite understand that the question of the employee organization bargaining with the ministry on the question of political activities is an entirely different matter. I had taken this to mean that the employee organization was precluded from bargaining about leaves of absence for individual members of the employee organization who may wish to engage in political activities, or engage in competition for public office.

I defer to my colleague, the member for Windsor West, but if that's what the meaning is, then it doesn't belong in this century—let alone in this half of the century—that those matters of questions of leaves of absence for individual members of the Civil Service Association, who may want to run for elective office, should be precluded from the bargaining which may take place.

It would appear to me to be a very legitimate topic for discussion in a bargaining session.

Hon. Mr. Winkler: I assure you that I will have a very careful look at that.

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Still further to this point, Mr. Chairman, I realize that it's difficult to frame amendments to a bill when the bill has reference to and is affected by so many Acts, like the Public Service Act. But really if one were looking at this bill and wanting to make it as simple and as clear as one could, bearing in mind those other references, the minister probably should delete from this section those words "dealing with leaves of absences for other than elective public office or political activities of training and development." Section 13, which is still there does that where it says, "the collective agreement or decision of a board shall not contain any term that would require directly or indirectly for its implementation the enactment or amendment of legislation." There's where you pick up the Public Service Act—in section 13.

If one were going to use as few words as possible in an Act, one would delete it here. However if one were trying to err on the side of clarity, one may leave it as you have it. But you actually don't need them because they are covered in section 13 and the employee bargaining agent knows that. An individual employee reading it may not quite realize it. But it is covered through section 13 of the Act.

Hon Mr. Winkler: Mr. Chairman, I really don't think that this has been a major problem, but again I assure you I'll look at it.

Section 3 agreed to.

Mr. Chairman: Any further discussion on any other section of the bill? If so, what section?

Mr. Bounsall: Section 4.

On section 4:

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Yes, in section 4, where you are repealing and substituting for sections 8 and 9 of the Act, the comment I want to make here, Mr. Chairman, is that section 9 still relates to matters that can't be solved in dispute going to compulsory arbitration.

I know that if one has an Act which takes away the right to strike, there must be some other method to replace it.

Although we have a better system than the previous one for the tribunal and its selection and so on embodied in this Act, we still come to this section where we spell out that matters that cannot be solved, that matters still in dispute, will be settled by compulsory arbitration. In areas of dispute where it has to be employed, you are really continuing to postpone the problem.

There is no substitute for the two sides—however hard the feelings might be or how long the bargaining might be to get to that agreement—there is no substitute for those two parties bargaining through to an agreement. Where you have to send a matter to compulsory arbitration, it's a failure between the two parties, and a failure that is likely to become more contentious rather than less contentious.

That's the fault with compulsory arbitration. It doesn't really solve it by handing it out to a third party, no matter how careful we are to choose the third party to be as fair a person or persons as possible. Whenever we have to take a matter in dispute and hand it to a third party, that represents a real failure of the two sides to come to grips with the problem. And not coming to grips is going to affect future negotiations; which is why we are against compulsory arbitration in any form, Mr. Chairman.

Hon. Mr. Winkler: I'll reply to that. Again, I think I appreciate the stance the hon. member is taking. But I would say this to the hon. member: I think, if my memory serves me correctly, there was a situation not too long ago where the exact procedures under the old Act were followed and they worked out very satisfactorily. There were no bitter feelings and the settlement was accepted.

Now in this particular amendment, all we are saying is "the tribunal, if advised in writing"; which means there must be some desire to go that step. I don't think this is objectionable at all. As a matter of fact I think it creates a vehicle that if it weren't there would be a desirable one to incorporate.

Mr. Chairman: The hon. member for Rainy River; on this section?

Mr. Reid: Mr. Chairman, I was going to amend this a little later on with the same idea in mind, but maybe this is the better place to do it.

Mr. Reid moves that section 9 as contained in section 4 of the amending Act be amended by removing all the words in said section 9 and substituting a new section to read:

> Employees shall have the right to strike, except for those deemed to be engaged in essential services; such essential services to

be determined by management in consultation with the bargaining agent or agents.

Mr. Chairman: I assume there is no further discussion on subsections 1 and 2 of section 8 as contained in section 4, so will section 8 as contained in section 4 carry? Carried!

On the amendment to section 9 as contained in section 4; does the member wish to comment further?

Mr. Renwick: Where does this come in, Mr. Chairman.

Mr. Reid: It is section 9 as it appears in section 4 of the amending Act on page 3.

Mr. Renwick: Is this an amendment to section 9 which would be enacted if section 4 passed, and where does it come in that amendment?

Mr. Stokes: It deletes the clause.

Mr. Reid: It deletes section 9 as contained in section 4.

Mr. Renwick: It's a deletion of the whole section 9 and the substitution of a new section.

Mr. Chairman: Yes, this deletes the whole section 9.

Mr. Renwick: It raises some interesting questions, Mr. Chairman. I'll be glad when the member for Rainy River elucidates on this amendment.

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: Very briefly, Mr. Chairman, the purpose of the amendment is simply to take out the provision for requiring any disagreement that isn't settled between the two parties to go to compulsory arbitration and to allow the civil service association or those engaged in those particular negotiations to go on strike to use their economic power to effect a settlement. It gives the civil service employees the right to strike.

Actually, I suppose this could come under section 25 of the bill but perhaps this is a more appropriate place to put it. We believe, Mr. Chairman, that the employees of the government should have the same rights in this respect as those enjoyed by most others in the Province of Ontario, in that if they cannot effect a settlement through the usual channels of collective agreement, the obvious answer is for them to go on strike.

We have put in the amendment Mr. Chairman, because we think it's necessary; we don't believe this can be a wholesale right to be given to the civil service. The leader of this party has pointed out some cases of those he feels are engaged in essential services. Obviously, it has to be a somewhat subjective decision as to who is in an essential service and who is not. I think it would be common agreement even among the three parties, Mr. Chairman, as to those who certainly are not essential services and who would be able to go on strike if this were necessary.

It has been pointed out, almost ad nauseam, that there is experience in Australia where the right to strike has been taken away from people involved in certain work situations. Australia has the largest number of wildcat strikes of any industrialized country in the world. Obviously taking away the right to strike does not prevent strikes; it only makes them illegal.

We have been over this again and again and again. I would refresh the minister's mind about the recent experience between Christmas and New Year when there was a threatened illegal strike by the CSAO. The minister maintains he wasn't pressured or blackmailed into a settlement by the threat of the illegal strike.

Mr. Renwick: There was a threatened strike by the CSAO. The determination of whether it was legal or illegal would await the event.

Mr. Reid: Well, if you like; I am sorry, I defer to my legal friend, who has—

Mr. Renwick: No you don't. You defer to a difference in political policy.

Mr. Deacon: Oh, my God!

Mr. Chairman: Would the hon. member for Rainy River continue please?

Mr. Reid: In any case, Mr. Chairman, I think what I am trying to say is clear even to my friend from Riverdale. We believe this should be a proper part of the collective bargaining process in the case of the government and the CSAO. We believe that some essential services should not be allowed to strike. We think it is only eminently fair and just, and we would ask your support in this.

Mr. Renwick: Mr. Chairman, I would like to make two comments. One is that it is quite obvious there was a presupposition that the strike by the CSAO, had it occurred on Jan. 1, would have been illegal. The fact of the matter is that in the Province of

Ontario that matter had never been determined in any way, shape or form.

I dispute the proposition that lay people, such as ourselves or the general public or the media, should assume that what the Civil Service Association of the Province of Ontario was proposing in the course of its bargaining was of necessity illegal.

It's quite clear that the law was not all that clear. We happen to believe in the rule of men under law. We happen to believe that kind of question begs the question.

We disagree with any assertion that what the Civil Service Association of Ontario may have been proposing to do in an event which did not materialize was illegal. We happen to give the citizens of the Province of Ontario credit for making determinations as to whether or not their actions will or will not be illegal. And we dispute the proposition that some vested interests can categorize the activities of other persons as illegal until such time as some body with some authority can determine that. Of course, this distinguishes us from my friends on the right.

An hon. member: Oh, come on.

Mr. Deacon: Simon-pure.

Interjections by hon. members.

Mr. Renwick: Listen, now we determine—

Interjections by hon. members.

Mr. Chairman: Order please.

Mr. Renwick: Let's make it clear—

Interjections by hon. members.

Mr. Renwick: Let's make it very clear—

Interjections by hon. members.

Mr. Chairman: The hon. member for Riverdale has the floor.

Mr. Renwick: It's all very nice every now and then for members of the Liberal Party to bob up and down talking about the rule of law. Okay? Let's forget that.

Mr. Reid: You are not teaching law.

Mr. Renwick: The rule of law is determined in a court or other body invested with the authority to make the decision, and this party categorically denies that there was any suggestion that what the Civil Service Association of Ontario may have done on Jan. 1 was by nature illegal because that prejudges the question.

I want to make that very clear, because we just hear too much of this sort of Millsian, 19th-century form of liberalism, which was dead and buried a long time ago—

Mr. Reid: That's the most hypocritical claptrap I have ever heard.

Mr. Chairman: Order, please.

Mr. Renwick: —and which the member for York Centre and the member for Rainy River, and his predecessors in the Liberal-Labour Party have argued from time immemorial.

Mr. Reid: Do you ever listen to yourself during the question period? You make all kinds of assumptions.

Mr. Renwick: Now my second point is very simple—

Mr. Reid: Whose side are you on anyway, the government's side?

Mr. Chairman: Order, please. Would the hon. member allow the hon. member for Riverdale to continue?

Mr. Renwick: No, we are on the side of the Civil Service Association of Ontario in this particular question.

Mr. R. F. Nixon: You are only assuming that.

Mr. Renwick: No, it is very clear. That's the side we are on. We have made our commitment to that a long time ago.

The second issue is that if we could have a copy of the amendment proposed by the member for Rainy River—and we haven't had a copy of it at the present time—I think we would like to move a sub-amendment for the purpose of clarifying the usual hazy thinking of the Liberal Party and of the Tory party about what constitutes essential services and what doesn't constitute essential services.

Mr. Bounsall: Force them into it.

Mr. Renwick: This is the kind of cutting stone on which we would like to really find out where the Liberal Party stands, where this party stands and where the government party stands. It is very simple. You can't shrug off that kind of a question by some hazy language such as the Liberal-Labour member for Rainy River would like to suggest that this House should pass.

Mr. Chairman: Is there any further discussion on Mr. Reid's amendment?

Mr. Renwick: Yes, Mr. Chairman, I would like to move a sub-amendment, Mr. Chairman, if I may.

Mr. P. Taylor (Carleton East): Send us a copy, eh?

Mr. Bounsall: Well, while the sub-amendment is being prepared, Mr. Chairman, perhaps I could comment on the amendment as I understand it.

Certainly the way the amendment is phrased brings up a question at this point, rather than at some other point later on in the bill, of the right to strike. Certainly everyone in this party feels that the right to strike is an inherent right that everyone should have. In the specific instance of the Civil Service Association of Ontario and the employees that association represents, we feel they should have the right to strike and that every employee should have the right to strike. I fully endorse, as do other members of my party, the remarks by the member for Riverdale relating to an illegal strike or otherwise, that no such determinations were made.

The minister knows my views on the right to strike. I gave him examples in committee, having lived in England for a couple of years, where they have no orderly way of arriving at the strike position. What they have there is a series of non-legal strikes, or a series of wildcat strikes, to use a better word, because I don't think they even bother to determine the legality or illegality of those strikes when they occur; they simply have a whole series of wildcat strikes. What particularly appalled me was, in the year 1963 at the Ford plant in Dagenham outside of London, England, of the 260-odd working days in the year, only 83 of them were free of wildcat strikes. I came to the conclusion, observing that particular industry—which was the one that had by far and away the most wildcat strikes while I was there—that any system of labour legislation that does not provide for a legal strike and simply requires that when that strike occur it be a wildcat strike—and it can occur any time then, because you don't have the time sequences leading up to, as we do in our Labour Relations Act, a period at which the strike then becomes one of the options which you have open to you—is the world's worst system of labour relations. And here we have it in a small separate Act dealing with the civil servants of the Province of Ontario. I would hope that the minister would, at the appropriate position in the bill—this may be it—give to the association and its members the right to strike, with a procedure leading up to a position where the strike becomes appropriate.

With respect to essential services in the civil service, Mr. Chairman, we believe that in this case none of them is essential and that by voting to agree or not agree with the position to go on strike, the employees will determine that question in their own minds as to how essential their services are. But they all have, in fact, the right to strike. We're not like members of the Liberal Party, where some of them say that snowplough operators should not have the right to strike and others stand up and say they should have the right to strike. We feel that all of them, without qualification, should have the right to strike.

Mr. Renwick: Mr. Chairman, I'd like to move an amendment.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick moves the deletion of all words after the word "strike" in the first line of the proposed amendment.

Mr. Chairman: I'm wondering if the Chair could comment? I have some grave doubt as to the propriety of both Mr. Reid's amendment and also Mr. Renwick's sub-amendment.

Mr. Renwick: Well, there's no question of the propriety of mine. If there is any propriety in the first amendment there is propriety in mine. I wouldn't want the propriety of mine to be questioned unless you determine the propriety of that of my friend, the hon. member for Rainy River.

Mr. Chairman: It's contrary to the principle of the bill and, as I say, I do not feel that it's proper for this committee to change the principle.

Mr. Renwick: Let's vote on that question.

Mr. Chairman: No. In this particular case we are talking about the principle of the bill, and that is, that there is no right to strike. The amendment that Mr. Reid is moving is contrary to that, that they do have the right to strike except for those services deemed to be essential services. It seems to me this is contrary to the principle of the bill, which was debated on second reading.

Mr. Renwick: Mr. Chairman, perhaps before you make any definitive decision on that, let me make this comment: If this were the Crown Employees Collective Bargaining Act, it may well be that such an amendment

would be out of order. This, in fact, is simply an amending bill, amending various sections of the Act. There is no such principle in this amending Act. It would appear to us that it would be very appropriate at this particular point in time, and quite in order, for the hon. member for Rainy River to move the kind of wishy-washy amendment that he has moved in the circumstances, and for us to be in the position where we would like to clarify the issue which divides the three political parties in this area at this time. I think it would be well worth doing.

Mr. Chairman: Does any other member wish to comment before the Chair pursues this?

Mr. Deacon: Mr. Chairman, I would just like to point out that in the amendment of the member for Rainy River he is only changing the Act insofar as those in unessential services are concerned; all others are still really maintained in the principle of the bill. Those who carry out essential services do not have the right to strike. So it is an amendment to it; it is clearly not contrary to the principle.

Mr. Chairman: The Chair still feels that this is contrary to the principle—and I didn't read Mr. Renwick's sub-amendment. I will read it for the record: "Mr. Renwick moves, by way of sub-amendment, the deletion of all words after the word "strike" in the first line of the proposed amendment."

The Chair still feels that this is contrary to the principle of the bill and I would so state.

Mr. Deacon: Is that really your own thinking?

Mr. Chairman: That's really my own thinking. It really is.

An hon. member: Pretty positive thinking.

Mr. Reid: Is there not something in the standing orders of procedure about this?

Mr. Chairman: You are reversing the principle of the bill that was debated at second reading—on the proposed right to strike.

Interjections by hon. members.

Mr. Reid: It is not in this bill, Mr. Chairman. All we are doing is amending the bill.

Mr. Chairman: I still feel it is injecting a new principle into the bill.

Mr. Renwick: You wouldn't want us to appeal your ruling would you, Mr. Chairman?

Hon. Mr. Winkler: That's one way of settling it.

Mr. Chairman: I so rule that we are changing the principle of the bill.

Mr. Renwick: We will certainly appeal his ruling.

Mr. Bounsall: Speaking to that point, Mr. Chairman, I am not a parliamentarian in the sense of knowing which is right procedure and which is wrong, but I can recall other amendment bills going through the House in which one has moved the deletion of a whole section, or, when we got to the final section of the bill, deleted that section which gives the title to that bill to express our displeasure with the principle of the bill. We have moved the deletion of whole sections with which we didn't agree, and those amendments, as placed, have always been accepted.

Just speaking on a point of due procedure, I can see little difference between an amendment of that sort which has occurred on other bills and the original amendment that was placed here. One deals with the amendment in the substance and frame in which it is placed. I can see no difference between what has been done in this bill and what we have always done in clause by clause discussion of other bills.

Mr. Chairman: What the hon. member is referring to is the process of deletions, but my ruling is that this is changing the basic principle of the bill with regard to the right to strike, and the Chairman's ruling is not debatable. If you wish to challenge it—

Mr. Deacon: Mr. Chairman, I rise to appeal your ruling because you are establishing a precedent here which makes it impossible for us to discuss and to amend any bill whatsoever. I just can't see how we can possibly accept a ruling such as this, which in effect is cutting off debate on any sort of adjustment or amendment to a clause.

Mr. Renwick: Mr. Chairman. I want to make this very clear. I take it, Mr. Chairman, in explaining your decision on this matter, which of course we accept, what you are saying is that you do not accept the amendment proposed by the member for Rainy River—it is not a question of whether or not the sub-amendment proposed on behalf of our party will be accepted—and it is the Liberal Party which is challenging your ruling on this matter. Is that a correct interpretation?

Mr. Chairman: The Chair again reiterates the fact that Mr. Reid's amendment is changing the basic principle of the bill, which was debated at second reading. It is the Chair's ruling. Shall the Chairman's ruling carry?

Mr. Reid: No.

Mr. Deacon: No.

Mr. Chairman: All those in favour will please say "aye."

Those opposed will please say "nay."

Mr. Renwick: In my opinion the "ayes" have it.

Mr. Laughren: The "ayes" have it.

Mr. Chairman: You are getting the Chair confused now!

In my opinion the "ayes" have it.

Call in the members.

Order, please. We are voting on the Chairman's ruling. Mr. Reid moved an amendment to section 4 of Bill 179 by renumbering the first paragraph as subclause (a) and adding subclause (b) as follows:

> Employees shall have the right to strike, except for those deemed to be engaged in essential services; such essential services to be determined by management in consultation with the bargaining agent or agents.

The reason I am reading the proposed amendment is for the benefit of the members of the committee who weren't here at the time it was placed and when the Chairman ruled.

The hon. member for Rainy River.

Mr. Reid: Mr. Chairman, that was deleting section 9 also, you'll recall, in the original amendment.

Mr. Chairman: Section 9, correct.

It is the Chairman's opinion that this injects a new principle to the bill which is contrary to the principle which was debated at second reading and which was approved by the House.

The committee divided on the Chairman's ruling, which was upheld on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 42, the "nays" are 28.

Mr. Chairman: I declare the Chairman's ruling upheld and the amendment out of order.

Is it the pleasure of the committee that we deal with the two amendments which are stacked at the present time, while the members are here?

Agreed.

Mr. Chairman: In section 3, which deals with section 6 of the Act, Mr. Bounsall moved an amendment to the amendment that all the words following "employer" in the second line be deleted.

Mr. Stokes: Well, on a point of procedure, if for no other reason, there are other amendments; why don't you wait and stack them all at once.

Mr. Chairman: If it is the wish of the committee, we can either stack them or we can deal with the two that are before the Chair at the present time?

An hon. member: Ah, wait with them.

Mr. J. R. Breithaupt (Kitchener): I suggest that we deal with all the amendments at the same time, Mr. Chairman. That might be more convenient for the House.

Mr. Chairman: Is that agreed by the committee? We'll wait and deal with all the amendments when the debate is completed?

Agreed.

Mr. Chairman: Shall section 9 as contained in section 4 form part of the bill? Any further discussion?

Mr. Reid: No, I just wanted to make some very brief remarks on this, particularly in view of the remarks of the member for Riverdale and the member for Windsor West. You may recall that the member for Riverdale indicated before we rang the bells they were going to support the Chairman's ruling, and of course it's just another example of them changing their minds.

Mr. J. F. Foulds (Port Arthur): On a point of order, Mr. Chairman.

Mr. Chairman: The hon. member for Port Arthur has a point of order.

Mr. Foulds: Yes, the remarks of the member for Rainy River are completely out of order, and erroneous.

Mr. E. R. Good (Waterloo North): That's your answer.

Mr. Foulds: There is no indication in Hansard about how this party would vote before the vote took place.

Mr. Chairman: The hon. member has a difference of opinion, not a point of order.

Could we continue with any discussion on section 9 as covered in section 4?

Mr. Breithaupt: That was a point of view.

Mr. Foulds: With the greatest respect, it is a grave parliamentary misdemeanour to mislead the House—

Mr. Chairman: The member should not accuse the member of misleading the House.

Mr. Foulds: —and the member for Rainy River is attempting to do that.

Mr. A. J. Roy (Ottawa East): I don't think those in the gallery would agree.

Mr. Chairman: Did the Chair hear properly that the hon. member was suggesting the member for Rainy River was misleading the House?

Mr. Foulds: Yes, the Chairman certainly heard that properly—and the member for Port Arthur withdraws the remark.

Mr. Breithaupt: They don't believe it, Mr. Chairman.

Mr. Chairman: The hon. member for Rainy River, any further discussion on section 4?

Mr. Reid: Mr. Chairman, I am sorry that we can't pursue this matter of the right to strike. However, I suppose that the best way to resolve the issue is to remove the government in office and replace it with the Liberals.

Mr. Roy: We will be kind to you.

Mr. Reid: But let it be on the record, Mr. Chairman, that the labour critic for the NDP, the member for Windsor West, in the debate on second reading on Jan. 30 indicated that that party also, at least through him as its spokesman, accepts the point of view that there should be essential services. I would like to quote from Hansard for Jan. 30, 1975.

Mr. Laughren: Where are the TTC operators? How do the TTC operators stand in this whole thing?

Mr. Chairman: Order, please. I think that we have debated this. It's on the record at second reading. I think we should deal with the—

Interjections by hon. members.

Mr. Roy: We can make any comment we want.

Mr. Foulds: Tell us about how you voted on compulsory arbitration for teachers—each time differently.

Mr. Breithaupt: You can get in on the debate if you wish.

Mr. Reid: Mr. Chairman, the member for Riverdale made the point that we weren't as exact on this matter of essential services as he would like. He moved on amendment that I gather is still in order. I gather his amendment is in order, Mr. Chairman?

Mr. Chairman: No, his sub-amendment was—

Mr. Reid: I would like to address myself to the remarks he made in that regard because he said quite clearly and distinctly, Mr. Chairman, that he did not support any restriction on the right to strike, that there shouldn't be anything such as essential services, that everyone should have the right to strike. I draw his attention to the remarks of his colleague, the member for Windsor West, on Jan. 30, in which he said—

Mr. Renwick: This matter is out of order, Mr. Chairman.

Mr. Chairman: Order, please. We discussed this point earlier. Section 9 of the Act deals with matters that may be determined by the arbitration board and I would ask you to speak to the section.

Mr. Roy: That is exactly what he is doing.

Mr. Chairman: Order, please.

Mr. Reid: If I understand this, Mr. Chairman, it deals with compulsory arbitration and this is the subject matter that we are discussing. I really don't have to say anything further except, Mr. Chairman, to point out that again there's a rift and a chasm between the members of the NDP on this matter.

Mr. Renwick: No. You never have to.

Mr. Good: Renwick rides alone.

Mr. Chairman: Shall section 4 form part of the bill?

Section 4 agreed to.

Mr. Chairman: Any other comments, criticisms or amendments to any other section of the bill? The hon. member for Windsor West. What section?

Mr. Bounsall: Section 5.

On section 5:

Mr. Bounsall: I just want to say on section 5, Mr. Chairman, that the amendments that appear in the bill as amended by committee are certainly acceptable amendments and clear up some discrepancies that happened to appear in the original bill.

Mr. Chairman: Shall section 5 form part of the bill?

Section 5 agreed to.

Mr. Chairman: Any other comment, questions or amendments?

On section 6:

Mr. Bounsall: A question on section 6, Mr. Chairman, through you to the minister: This is a section which in essence we agree with, that is, telling the board of arbitration established under the original Act that it is to complete its duties under that Act before the coming into force of this Act. I have the same question on this one, as I have on a similar section that is brought in later on, that if the parties appearing under a board of arbitration at the moment feel that the new setup of the arbitration board under this Act is better than the one under which they are appearing, they may feel very strongly they would like to appear before the new board of arbitration set-up. Would that be allowed?

Hon. Mr. Winkler: Are you suggesting that this is where a matter of business has not been completed, or a new matter of business?

Mr. Bounsall: No, where a matter is partway through and not been completed. I understand the government's strong desire to have matters completed—

Hon. Mr. Winkler: Yes.

Mr. Bounsall: —that are already halfway through. Are there any of those, may I ask the minister? If the new procedures are somewhat better, even for a matter that is partway through, and the parties wish to go under the new procedure in the Act, is that possible?

Hon. Mr. Winkler: I must say that that was really not my intention. My intention, of course, for adding this thereto is so that the board, as it was constitued, could complete its business.

I would assume that it would be a very minimal amount of work, but all new matters could, of course, be referred to the new board. I don't see this as being a contentious matter. If it does become a contentious matter, certainly I can look at it.

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: Mr. Chairman, if I could just carry on to clarify this. If a matter has come before the old board and has not yet been considered by the old board—

Hon. Mr. Winkler: That would be taken care of.

Mr. Reid: That will then be taken care of by the new tribunal?

Hon. Mr. Winkler: Yes.

Mr. Chairman: Shall section 6 form part of the bill?

Section 6 agreed to.

Mr. Chairman: Any other comments or questions or amendments to any other section?

Mr. Bounsall: Section 9.

Sections 7 and 8 agreed to.

On section 9:

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall moves that section 9 be amended by deleting "discipline, dismissal, work methods and procedures, kinds and location of equipment," in 17(a) and "training and development" in 17(b).

Mr. Reid: Mr. Chairman, that pretty well echoes the amendment I have, except that I would like to add a sub-amendment.

Mr. Chairman: Is there any further discussion on this? Does the member for Windsor West wish to comment on this before we hear from the hon. member for Rainy River?

Mr. Bounsall: Yes, I would like to comment on this, Mr. Chairman.

My normal inclination at this point would be simply to move the deletion of all of 17, and have no management rights clause in the bill at all—with those management rights to be determined by both parties. That's really what should happen.

I have the feeling, though, that that amendment might be soundly defeated. Instead, I'm deleting from section 17 those specific management rights clauses which I feel should be most in discussion between the two parties.

Those matters which I leave remaining, particularly in 17(a), would be matters which might, through at least the first negotiations, pertain to management in any event. I am, of course, prejudging what both parties may agree to in the first approximation; and that is dangerous, and I don't feel very comfortable doing that. I would simply like to move deletion of the whole kit and caboodle.

Bearing in mind the discussions we've had on superannuation and the problems of at least having a joint consultative committee on it between two parties, and discussions relating to the investment of the pensions—hoping that this would occur anyway, informally, even though there's a management rights clause here in 17(b) that makes that a right only of management—I did not include superannuation in my deletion. This was done specifically, because I would like to see the minister take the lead here and informally set up this joint consultative committee to discuss superannuation and the investment of those funds.

I sort of get the feeling that the minister may be intrigued by that idea and may like to try it out on his own. Even though it's purely a management right, he would have the management right to set up that joint consultative committee. I would so urge him to consider doing that—so I have not deleted that.

But it strikes me that in matters of discipline, this should be not just a management right. It should be something management would discuss thoroughly with the Civil Service Association in determining discipline; certainly in the matter of dismissal the same argument applies.

Work methods and procedures: This is a very contentious point between the postal workers and their employer; the postal workers contend that work methods and procedures is a bona fide area of negotiation between the two parties and not exclusively a management right.

Kinds and location of equipment: I can't imagine a management that would not wish to sit down with its employees and discuss the kind of equipment that should be purchased, the location of that equipment or the proximity of employees to that equipment. In committee we discussed the situation where there is excess equipment in one area and a deficiency in another, and the possibility that an argument might develop as to whether or not you transfer the excess over to the deficiency and buy new equipment. I think that is a matter of common sense and would not stop the proper location of equipment in terms of excess and deficiencies around the province; and it is a matter of common sense that no group of employees, certainly at the bargaining table, would make a real point of issue.

Training and development, in section 17(b), is again a matter where I can't imagine a management not wanting to have a lot of input from its employees as to what sort of training programmes they would wish to embark on so that they can develop and put themselves into a better position to carry out the jobs they have been assigned.

The way it is proposed in the bill, if this is an area in which the association cannot have anything more than a very informal input, it does not give them an opportunity to say to management, "Look, in this particular area we feel our employees in that area should have this kind of training available to them so that they would carry out their particular jobs more efficiently or would equip those particular employees with a certain background to then move on with that additional training and take up another more meaningful position within the ministry." I would hope that the minister, at this point, would consider deleting the specific clauses from the bill, as I have mentioned.

Mr. Chairman: Does the hon. minister wish to comment before the hon. member for Rainy River places his sub-amendment? Then we can deal with both of them.

Mr. I. Deans (Wentworth): A sub-amendment? I want to speak to the amendment itself before any sub-amendment is placed—

Mr. Chairman: Perhaps we could let the hon. member read his sub-amendment into the record, and then we could debate both of them.

Mr. Deans: Okay. But it may be that I want to speak against it for all I know. I have to listen first.

Mr. Reid: I don't think so. Mr. Chairman, as I say, the amendment imitates the one that I was going to put—

Mr. Deans: No, no, it is similar in nature; it doesn't imitate.

Mr. Reid: —and the one that my colleague from Windsor-Walkerville put in the committee when we were debating this matter in committee.

I would like to add a sub-amendment to the amendment that has been put in the

hope that it will give us the best of both worlds.

Mr. Reid moves a sub-amendment to delete from section 17(1)(b) the word "superannuation."

Mr. Chairman: Does the hon. member for Wentworth wish to speak on either the amendment or the sub-amendment?

Mr. Deans: Yes, I do. I want to say two or three things about it. First of all, of course, we will support it. My colleague would have moved that, except he thought there was perhaps another procedure that might have been used.

Mr. Reid: Well, no. I was afraid it wouldn't be accepted.

Mr. Deans: I think we would generally agree that matters of superannuation should be matters which could be discussed at the bargaining table. In fact, we go a bit further than that. The whole matter of management's rights is something that is an archaic principle. There are very few things in life that don't affect employees; in fact, if you take a serious look at employees, everyone right up to management is an employee of one sort or another.

I think, particularly in government services, there is no such thing as the owner on the one hand versus the employees on the other. You're talking in actual fact about employees of the government, all of them, everyone. Even those acting on behalf of the government are, in fact, employees. I fail to see the reasons why we set out something called a management rights clause.

It seems to me in this enlightened age that it should be possible for employees to sit down with employers and to discuss across the bargaining table all things pertaining to their employment. It may well be that they won't agree. It may be that they'll come to a point where they will have to agree to disagree on certain items and that those matters may well have to be decided by an impartial arbiter. But the fact of the matter is that among reasonably intelligent people who are working in the same general area, whose concerns are very much parallel, they ought to be able to sit and talk, one with the other, about all matters.

I've said many a time to the Chairman of the Management Board of Cabinet that far more disputes develop as a result of things which are not able to be discussed between employer and employee than develop over wages or general working conditions. I would suggest to you, as I did to your predecessor and to his predecessor, that if you want to avoid industrial strife and if you want to avoid the kinds of upset, the kinds of withdrawal of services and the festering general feeling of discontent that develops among employees from time to time, you do it by having an open process, a process that permits the employee on the one hand or the employer on the other to come to the bargaining table and to sit down and to discuss all of the matters which affect the employer or the employee in his place of employment.

I don't know why the government can't be in the forefront of this change. I don't know why the government can't give it a try to see whether or not there may be areas regarding employment that employees might want to have some input into; to see if there may not be areas of appointments that employees might be able to offer some constructive suggestions about; and to find out whether or not there may be matters pertaining to the complement of people required to do the job that could well be discussed at the bargaining table, given that the employees surely have as much of an interest in ensuring that the job is done well than does the Management Board of government or its representatives.

Surely the whole matter of assignment is something that could well be of a decision reached between the employer and his employees. You may decide, for example, that a certain complement of people ought to be assigned to do certain work in a certain part of the province. It may be that as a result of experience on the job, employees would know that that isn't the most advantageous and the most economical way to do it and they would like to bring that to your attention and to discuss it. But within these terms that is the prerogative of management and, therefore, there is no avenue open for employees to bring these constructive suggestions about the way in which an assignment might be dealt with by the employer.

In the matter of discipline, it may well be that a number of employees recognize that there have been discipline problems and that there ought to be a discussion about an employer and employee representative on the management side and the way in which discipline is meted out. It should be a matter for discussion.

What worries me about it is that somewhere along the way of coming to a decision all of the wisdom about these particular matters is held in the minds of a few selected people and that the remainder, the great

mass of employees, don't really care very much about the way in which the operation is carried out with regard to these particular concerns. It's not as if you're holding to yourself rights which you have to have in order to manage properly. It's not as if somewhere along the way there is a profit derived from holding to yourself something called the "owner's rights." That's where it all derives from. In years gone by the owner held for himself certain rights because he owned the business and he wanted the right to make his own decisions. As time evolved, he transferred the exercise of these rights to people whom he appointed as managers.

In this case we are not talking about an owner situation, an owner versus employee. We are talking about a great number of people, all of whom are employees. We in the Legislature, you as the Chairman of Management Board, and all of the cabinet, are simply the trustees of the public position, the trustees of the public purse, if you will. Your job is to make sure that the public funding and the legislation that are required to carry on the orderly business of the province are done properly. You don't take on an ownership function in doing that. All you are doing is acting as a trustee. Everyone else, including those people sitting under the gallery, are all employees and they have been assigned certain responsibilities.

They don't hold for themselves all of the wisdom. They don't hold to themselves all of the power to make decisions. They don't pretend, I hope, to have knowledge of every single aspect of every single job that falls beneath their particular station. Surely it would make a lot of good sense, given the size of the civil service in Ontario and given the way in which they are dispersed throughout the province, that we recognize that employees of the Crown are dedicated on the first hand; that their dedication is at least the equal of anyone else's, whether designated as management or otherwise; that they have a deep-rooted desire to make the system work properly on behalf of the people; and that the only way in which they can sit down with management, which is you ostensibly, is at the bargaining table. There is no other opportunity. You are far too busy and they are far too many.

At this point in time, what we should be doing with the civil service is creating the most open collective bargaining atmosphere that can be available. We should be setting up a model. The model should be that we are prepared and we are not afraid to trust the employees to come to reasonable decisions about matters which affect not only them but which also affect the public. That means saying to them: "When and if you find in any areas matters within those areas which you think could be negotiated to the benefit of the public and yourselves, we are prepared to sit down and talk about them."

I don't quite understand why any of these matters in all fairness, need be held as sacred rights of one particular small group appointed by the government to manage, because you are excluding a tremendous amount of very valuable brainpower. You are excluding a great number of people right across the province who could quite conceivably have more concern about the way in which their particular job and their particular area operates and who may be far more knowledgeable about it than anyone here at Queen's Park. Yet they can't bring up matters of assignment, organization or complement and any other procedures or work methods. These things can't be discussed at the bargaining table. They are excluded from discussion completely.

If I can go on to the amendment, I have never understood—and I've made this argument for seven years — why superannuation was excluded from discussion at the bargaining table. I have never been able to appreciate how it can be that what takes the place of the pension for employees in the civil service cannot be a matter for discussion at the bargaining table. I don't understand it. There is some very obscure principle some place. I'll be damned, as I look through the negotiating processes and the way in which employers and employees carry out negotiation processes, how we can come to the decision in this House in this year that the employees of the government ought not to be able to negotiate their pensions. I don't understand that. I mean, what is it about that?

What is it about employees of the government that makes them so different from employees of the Steel Co. of Canada with regard to their pension needs? What is it that makes them so different from any other employees in the Province of Ontario with regard to their need to ensure for themselves and their families an adequate level of remuneration after they retire? Why should they not be able to discuss with the government, year by year, at collective bargaining time, their needs and the government's capacity to meet those needs?

It's an evidence of bad faith on the part of the government. It's a continuation or perpetuation of a long-held principle which has never had any foundation. And it doesn't make sense. It has never made sense.

However you arrived at it, I've got to say this to you; that as I recall previous management's rights clauses, this is a vast improvement over what was there in years gone by. I mean, in years gone by it was virtually impossible for Crown employees to talk about anything. They were having a devil of a time even talking about wages. But surely, having recognized that we are now in a new era and we are dealing with people who are making a career out of the public service, people who are no longer coming in via the patronage route, and are being hired for their ability rather than for their contacts, people who are prepared to devote their lifetime to ensuring that the public receives an adequate level of service, they should then be able to sit down at the bargaining table and talk about what kinds of rights they will have beyond the age of retirement.

I suggest to you that that ought not to be in this legislation. I would like to tell you I am almost positive—almost, not quite, but almost positive—that if there were no section 9(17)(1)(a) and (1)(b) that collective bargaining would go on; that whatever discussion took place at the bargaining table would be to the advantage of the government and the people of the province; and that whatever matters would be raised by the employee representatives at the bargaining table would be raised from a desire to improve the conditions in an effort to improve the service level.

I will never, for as long as I am in here, understand why you continue to hold to yourself something called "management's rights," recognizing that of course management, as I said before, is in fact, simply employees elevated to a position of supervision. And that's all. They have no vested interest, and there are no owners involved. There is no profit to be protected. In fact, all you are saying is that you don't want to be bothered having to talk to your employees from time to time about matters which you might find a little awkward.

I think you've got to have more faith in the employees of the Crown. I think you've got to understand that these employees' sense of commitment is far greater than you've ever realized, and that they are in fact career civil servants choosing the job because (a) they are well trained, (b) they are well suited, and (c) they have a deep-rooted sense of commitment.

Mr. Chairman: In view of the hour does the minister wish to comment now or will we continue the debate? Are there any more members who wish to speak on the amendment or the sub-amendment? If there is to be further debate, perhaps in view of the hour we should rise.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, the situation for tomorrow, I think is well understood.

Interjection by an hon. member.

Hon. Mr. Winkler: Pardon? I am not required to stay for the late show, Mr. Speaker, so I would like to say that on Thursday we will proceed with the consideration of this particular bill, then Bill 111 in committee and, I believe, if the Condominium Act returns, we will consider it as well.

Mr. Speaker: For the information of the Speaker and the members, do we sit tomorrow at 2 o'clock?

Hon. Mr. Winkler: Yes, that's been agreed and announced.

Mr. I. Deans (Wentworth): Before he moves the adjournment, can the House leader indicate whether the committees will be sitting tomorrow or not? Are there any committees still sitting on the Condominium Act, for example?

Hon. Mr. Winkler: I would assume because of the arrangements that we deem ourselves not to be sitting. The arrangement that has been made is for the convenience of the members of the House.

Mr. Deans: Does that mean that they won't be sitting?

Hon. Mr. Winkler: That's what I was saying, yes.

Mr. Speaker: Pursuant to standing order 28, I now deem a motion to adjourn the House to have been made.

The member for Ottawa East has given notice that he is dissatisfied with the answer

given to him by the Attorney General (Mr. (Clement) earlier today. The member may now debate this matter for five minutes, following which the Attorney General may reply for five minutes. The member for Ottawa East.

ROSS SHOULDICE

Mr. A. J. Roy (Ottawa East): Mr. Speaker, the reason I said that I was not satisfied with the minister's answer is that if one reads section 110, subsection 2, of the Criminal Code, it reads as follows:

> Everyone commits an offence who, in order to obtain or retain a contract with the government, directly or indirectly subscribes, gives or agrees to subscribe or give to any person any valuable consideration for the purpose of promoting the election of candidates or a class or a party of candidates to the Parliament of Canada or the Legislature.

Very quickly, the elements of the offence are as follows: First of all, what is required is a contract. In this particular case, there was a contract, the fact that the government wanted to buy certain lands.

Interjections by hon. members.

Mr. Roy: The second element required in this is that there be an agreement to give or agree to subscribe or to give.

Mr. F. Drea (Scarborough Centre): Let the member tell us the last time he was here on a Friday.

Mr. Roy: If one looks at the letter of Nov. 23, 1971, Mr. Speaker, it is clear that in the last paragraph of that letter Mr. Shouldice states:

> In the event that a sale is effected, it would enable me to forward to Toronto central the $30,000 that I was short in my commitment to you.

Clearly there is an attempt here to give. The third element of this situation is that there be valuable consideration. That is the third element involved, and that's the $30,000.

Finally, the last aspect of it is that it be for promoting the election of a party of candidates to the Legislature. That aspect of it is when he says that he would forward to Toronto central and that, Mr. Speaker, is the central fund of the Conservative Party here in Toronto.

Mr. Drea: The member is never here on a Friday.

Mr. Speaker: Would the member for Scarborough Centre just give the member for Ottawa East the floor, please?

Mr. Roy: Thank you, Mr. Speaker.

Mr. Drea: It's true, he has never been here.

Mr. Speaker: Order, please.

Mr. J. R. Breithaupt (Kitchener): How would the member for Scarborough Centre know?

Mr. Drea: I have been here every day, and he asks me how would I know.

Mr. Speaker: Order.

Mr. Breithaupt: Not always in that condition, I hope.

Mr. Roy: Mr. Speaker, if I may continue, the transaction apparently did not go through with the help of Mr. Shouldice, and the $30,000 in fact was not transmitted to the central fund. But the fact remains that under the Criminal Code, Mr. Speaker, an attempt to commit an offence is an offence. Section 24 of the Criminal Code reads:

> Everyone who, having intent to commit an offence, does or omits to do anything for the purpose of carrying out his intention is guilty of an attempt to commit the offence whether or not it was possible under the circumstances to commit the offence.

So, Mr. Speaker, that is clearly a situation where you have, in my opinion, an attempt to commit an offence. When you talk about an attempt, then you are talking about the question of intent. I can't see any situation that is clearer than the question of intent when he says:

> In the event that the sale is effected, it would enable me to forward to Toronto central the $30,000 that I was short in my commitment to you.

He goes on to say in a subsequent interview with Mr. Cleroux of the Globe and Mail:

> Yes, that is the letter I sent him. I know Mr. Kelly denies that he got it, but that is the letter that I sent him. I had a copy in my files until they were confiscated.

He goes on to say that he never gave the $30,000 he had offered because the transaction was never made. Clearly it's a situation where he admits having made the offer. On a question of intent, Mr. Speaker, just

look at his letter of July 5, 1972, which was filed here, where he states:

> Contributions must be given at election time commensuate to the amount of work that they have received.

He goes on to say:

> If it were possible to inform me in advance of any legal, engineering or architectural work in the North Bay, Sudbury and Sault Ste. Marie areas, I would be pleased to contact the recipients and start rebuilding our funds for future use.

So, Mr. Speaker, I was not satisfied with the answer of the minister when he stated that we were talking about a question of conspiracy, because I don't see anything about conspiracy in subsection 2 of this section.

It seems to me, Mr. Speaker, that it is basic in a criminal prosecution that the criterion you have to satisfy is reasonable and probable grounds and not certainty of conviction. It seems to me that in this case there are reasonable and probable grounds. I do have great respect for the Attorney General as a person, and I am not about to start making allegations of political influence pertaining to him personally, but I say to him that he has a duty as Attorney General to look at the evidence as it exists and, if he decides not to prosecute, it is important that he give us an adequate explanation. If he does not, we are left with the impression that prosecutions are not taking place either because someone is putting pressure—not pressure, but basically what I want to say—

Mr. Speaker: The hon. member has a half a minute left.

Mr. Roy: Half a minute? Fine, that is enough for me to complete my remarks.

I say very simply that because of the importance of the minister's position as chief law officer for the Crown, he has to give the impression, not only that justice be done but that it appears to be done to everyone in this province. So when he says to me that if I am not satisfied, I should lay charges myself, he is not discharging his duty, because it is up to him. He has the investigation process at his fingertips. I don't know what the Attorney General's evidence is, but it seems to me that in a situation like this, if he is not going to prosecute on this type of evidence—

Mr. Speaker: Time is up.

Mr. Roy: —then we are entitled to an adequate explanation.

Mr. Speaker: The hon. Attorney General.

Hon. J. T. Clement (Provincial Secretary for Justice and Attorney General): Mr. Speaker, in this procedure, which I am not that familiar with, I understand that I need not reply, but I think I would be remiss if I didn't reply to the question put before the House at this time by the hon. member.

Mr. Drea: Talk about the yo-yos—

Hon. Mr. Clement: The member has suggested that the criminal test is one that is described as reasonable and probable grounds. I suggest, and I know he would agree, that it's beyond a reasonable doubt.

One not only has to look at the particular section but to try to determine what the law officers of the federal Crown agency decided when Mr. Garson brought in this legislation perhaps 20 or 21 years ago. The legislation under section 108 is very specific as to how it deals with any member of an assembly who is corrupted by the offer of a bribe or something of that nature. It deals very specifically with members of assembly. It goes on into sections 111 and 112, in particular, I think, dealing with municipal officials who are offered a bribe and who are therefore guilty of the crime of corruption.

It's very specific as to what happens after an election. If you are a member of an assembly or a member of a municipal council, then specific sections deal with those situations. If you are a government official and you are corrupted, then you are dealt with under section 109 and section 110(1).

The whole gist of this exercise is to deal with those who are candidates. My law officers advised me that it was their considered opinion, and I personally share it, that a candidate under section 110(2)—and I am talking in relation to this assembly or the federal House; but everything we are talking about refers to this assembly—is one who is a candidate running for office after the date of the issue of the writ. Now the writ was issued in September, 1971—I forget the specific date—and the election, of course, was on Oct. 21, 1971.

The letter which we perused, and which is referred to by my hon. friend, was dated Nov. 23, 1971; and in no way, in the opinion of my officials, could that letter affect or indeed be relevant to the outcome of the election which was held some one month and two days before the date on the letter.

Perhaps I did not make it clear, and if not I apologize to the members and I apologize to the member in particular. But I tried to make that clear at the time that it was my officials' opinion that it did not apply; because there's a peculiar type of individual, who is not an elected individual, who had to be covered by this legislation.

Our predecessors in Ottawa visualized that type of individual. Namely, one who is about to become a candidate and, in fact, is a candidate in law, who, by the entering of a race after the writ is issued and is officially a candidate, holds himself out or someone on his behalf says: "If you support my man, or my men, or my party and pay so much money and a contract is involved, then certain things will flow from that."

And that specific section deals with that type of situation. Because, as of the date of the election, you are then covered, sir, by section 108, in the opinion of my law officers. Because you're then a member of the assembly of this province, and if you corrupt yourself by offering to hold out some inducement to any person, then, of course, you're guilty of the crime of corruption.

Mr. Speaker: The hon. Attorney General has one minute left.

Hon. Mr. Clement: Now, I can only assume this, and I hope I'm correct. I think I interpret this from the hon. member's comments, because he is an officer of the Supreme Court of this province, as am I, and had taken an oath long before we entered this Legislature, and we owe an obligation to justice—I hope that the member is not assuming that pressure, political or otherwise, has been exercised upon me or my officials for political purposes.

Mr. Roy: No, I agree with all that.

Hon. Mr. Clement: I accept that. I stand here before this House, Mr. Speaker, and I tell you that this is the considered opinion of my senior law officers, and I share it. I'm not suggesting that it's right or wrong. I say it's right, and I'm not differing with my friend. I think this explanation is required, and I'm here and I hope I have made it. Thank you, Mr. Speaker.

Mr. Speaker: I now deem the motion to adjourn the House as having been carried.

Mr. F. Laughren (Nickel Belt): Are they clapping for Shouldice?

Mr. Roy: No, I rise on a point of order.

Mr. Speaker: Order, please. Order. Would the hon. member for Ottawa East please take his seat while the House is being adjourned?

Mr. Roy: No. I have raised a point of order.

Mr. Speaker: The House has been adjourned. There are no more points of order to be raised tonight.

Mr. Drea: Sit down! He never listens.

Mr. Roy: On a point of order, Mr. Speaker.

Mr. Speaker: There is no point of order. We have exceeded the time of adjournment by allowing you and the Attorney General to have five minutes each, and that is under standing order 28. There is no more debate after the 10 minutes has elapsed.

The House adjourned at 10:45 o'clock, p.m.

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Wednesday, February 12, 1975

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, FEBRUARY 12, 1975

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): It's a pleasure, Mr. Speaker—

[Applause.]

Mr. I. Deans (Wentworth): That's just to make up for the member's lack of friends.

Mr. Gaunt: It's a pleasure, Mr. Speaker, to know that one has complete endorsation for a speech one is going to deliver in this House—

Mr. D. C. MacDonald (York South): The applause was for the member's rising, not for his speech.

Mr. M. Cassidy (Ottawa Centre): We may applaud even heartier when he sits down.

Mr. Gaunt: I thank my friends to my left and right for their kind consideration.

Mr. Deans: Had the member issued a statement that he was going to speak, I would have got a crowd in here.

Mr. Gaunt: No, I didn't have any PR statements produced today. As a matter of fact, I only found out about an hour ago that I was going to be on first, so I didn't have any time to prepare elaborate press releases for the gallery, for which I apologize.

Mr. J. R. Breithaupt (Kitchener): He's not likely to be seven hours.

Mr. R. F. Ruston (Essex-Kent): There's nobody up there to give them to.

Mr. Gaunt: In any case, I am going to begin in the traditional way, Mr. Speaker, by paying tribute to you, sir, for the excellent job which you do in running the affairs of this House. It's not always easy. At times I suppose our accolades become somewhat repetitious but nonetheless I think they are important. I think it's important for you to know, sir, that all of the members of the House appreciate the manner in which you conduct the affairs of this House.

I want to talk for what I hope won't be too long on a matter related to Hydro and the manner in which Hydro handles its power-line corridors. Never has there been an issue that has been so irritating to me in my 12 years and some odd months of political life. Hydro's insensitivity, its power-play tactics, its bullying tactics, its deliberate distortions, its self-righteous proclamation by word and deed that it can do anything in the name of producing power for the Province of Ontario, has left me extremely frustrated.

In March, 1974, I gave a speech in regard to Hydro in which I attacked the organization for its incredibly inept handling of the power-line corridor through my own riding. I don't want to repeat that speech. However, I thought that Hydro had learned something from that experience; but I am sorry to say, Mr. Speaker, I take that all back. Hydro hasn't learned a thing in the intervening months; there are certainly no visible signs of improvement. There is significant evidence to substantiate that, and I want to deal with that evidence for a few moments.

First of all, Hydro apparently is still considering building a nuclear power plant in Huron county.

Mr. B. Gilbertson (Algoma): No way.

Mr. Gaunt: I would hope not.

Mr. Gilbertson: They have given up that idea.

Mr. Gaunt: Ontario's white bean industry is worth over $25 million annually, and it could be wiped out if a nuclear power plant were to be located in Huron county. Beans are extremely sensitive to air pollution; 85 per cent of the Canadian crop is grown in

the direct path of the prevailing winds from the proposed plant locations in Huron county. So, it is easy to see what would happen under those circumstances. The bean industry would have to go. The question then becomes: Is the bean industry worth saving?

Mr. R. F. Nixon (Leader of the Opposition): A good question.

Mr. Gaunt: I say to you, Mr. Speaker, that without a doubt it's worth saving; without a doubt—no equivocation at all. There are other alternatives for power sites, but there are no other alternatives for bean growing areas in this province.

I blame the government just as much, or perhaps more in this regard, than I blame Hydro—because the government has failed to set out its priorities. It has failed to stand up and be counted on the issue of preserving good agricultural land; and, in this instance, preserving a vital industry in the Province of Ontario.

Mr. R. F. Nixon: Right.

Mr. Gaunt: All the government had to do was say, "We believe that that industry is very important to the farming community and it's very important to the citizens of Ontario and Canada. Therefore, there is no question about building a power plant in that good agricultural land. It just won't be done."

That's all that had to be said, and I am sure that would have been the end of it. However, that hasn't happened. There has been no clear-cut statement on the part of the government in relation to this proposed nuclear power plant location—nothing.

When it became public that Hydro was thinking about building a nuclear plant in this particular location, Hydro said they felt that this was a good location. It fitted in with their total grid plans for the province and they felt that there was nothing wrong with the location. Further, they said the adequate and abundant supplies of water out of Lake Huron were something that they needed.

Then it became very clear that there was a lot of opposition to this proposed location, and so Hydro began backing off. They said: "Well, we have taken another look at it and we are not so sure that it is a good idea to build in that particular location. For the moment, we are certainly going to cancel out our plans to build a plant in that location."

Then they took a survey and that survey, I understand, indicated that there was some support, particularly in the urban areas, for locating that plant in Huron county. The questions were somewhat loaded, but to give Hydro the benefit of the doubt I would have to say that there were some citizens in Huron county who favoured that particular location. Then the statements started flowing again and now they became stronger and more positive; that Hydro was definitely going to build a power plant in Huron county right in the centre of the bean-growing area.

Really, what has happened is that we have undergone another one of Hydro's cold wars. It is a war of attrition with Hydro. They are very good at this tactic. They move in and play the aggressor. When the opposition marshals itself, they pull back and they soften the whole procedure and water down the statements and so on, then when opposition dies off they move in again. It's just a matter of attrition.

They weaken the opposition to such an extent that finally everyone who has been opposed to the thing, says: "Oh, well, they are going to win anyway, so what's the use?" This is a deliberate and calculating tactic on the part of Ontario Hydro. I am convinced of that and I say to the government and to Ontario Hydro once again, please, for goodness sake, don't put your power plant in Huron county, because it simply means the destruction of the bean industry in this country.

Mr. Gilbertson: Send it up to Algoma.

Mr. Breithaupt: If the member wants it.

Mr. R. Haggerty (Welland South): It would destroy the maple sugar business up there.

Mr. Gaunt: Moving a little farther up the shoreline—

Mr. R. F. Nixon: There's not enough cold water.

Mr. Gaunt: —I come into my riding, and I want to talk for a few minutes about some of the things that have gone on, or are proposed to go on, at the Bruce nuclear power plant and how these things are affecting the power corridor routing of Ontario Hydro.

The provincial government has announced, of course, the plan to expand the facilities at Bruce to provide hydroelectric power to the Toronto market, essentially the Toronto market. This would incur capital costs of many millions of dollars and necessitate numerous and heavier transmission lines

across prime agricultural and scenic areas of southwestern Ontario.

These plans completely negate Hydro's stated priority of locating all generating stations close to major load centres. Also, the proposed routing of the primary transmission line and the secondary security or backup line covers a distance of 150 miles, which at an approximate estimated cost of $500,000 to $1 million per mile depending on the terrain, means an expenditure of up to $150 million.

Hydro's long-range plans have not been publicly discussed, but I think it's clear for all to see that it is planning a programme to establish generating stations around the western perimeter of the province. Obviously, Hydro made plans, held superficial hearings —merely going through the motions of public and democratic participation—and then simply proceeded, with cabinet approval, to do exactly what it had intended to do from the outset.

The Bradley-Georgetown transmission route is inappropriate and illogical, because the primary market for Bruce power should be the Kitchener-Waterloo area, with any back-up line for Toronto being routed via Owen Sound, Collingwood and down around that way, linking up with the already established Essa-Kleinburg corridor and serving those markets en route.

The government has given much emphasis to the Solandt commission, of which a very curious aspect is the fact that Dr. Solandt chose to ignore completely the expert, neutral and highly expensive report of his environmental consultants, Bruce Howlett Inc., which recommended that the escarpment be crossed at Rattlesnake Point, permitting the Kitchener-Waterloo line to be routed via the 401 crossing. It would seem the consulting engineer's report was changed to be acceptable to Hydro. And the question has to be why?

Although the Nanticoke-Pickering transmission corridor was extensively studied, this was not the case with the Bradley-Georgetown route. On July 11, 1974, the former Minister of Energy (Mr. McKeough) said that approval of the southern 500-kv transmission corridor between Bruce and Georgetown via Kitchener was being withheld pending review of the long-range plan for Ontario Hydro. Nothing more was heard of that, Mr. Speaker, until Jan. 16, 1975, when an article appeared in the Globe and Mail in which the new chairman of Ontario Hydro, Mr. Robert Taylor, announced that the blueprints outlining the expansion of North America's second largest electric utility will stay as they are.

I say, Mr. Speaker, that particular result was predictable from the outset. It was an in-house study by Hydro, and it was a study which was conducted in such a way that Hydro, I think predictably and with great certainty, was bound to reaffirm its original decision. And that's exactly what happened. Hydro officials obviously intended from the beginning that the escarpment should be crossed at Limehouse beside Georgetown. Serious consideration has never been given to the Bruce-Essa route, with Essa-Kleinburg as a security line involving only one crossing of the escarpment at the 401.

The Essa-Kleinburg line has a capacity of 6,000 megawatts with the present single-string towers, and the double-string towers through this corridor would give a capacity of 18,000 megawatts. The government's planned Hydro corridors have a potential of 70,000 to 80,000 megawatts. I'm talking here, Mr. Speaker, about the corridors from Bruce and also from Pickering and Nanticoke. Those corridors have a potential of 70,000 to 80,000 megawatts, while today's overall needs for the entire province are between 12,000 and 13,000 megawatts.

At present, there are something in the neighbourhood of 4,000 megawatts now being consumed in the "golden horseshoe" area. What we're talking about here is the twenty-fold increase to this particular area. If the government insists on allowing Hydro to proceed with the current proposals, both will be guilty of an incredible waste of taxpayers' money, of arrogantly and unnecessarily taking over many acres of prime agricultural land and of facilitating the provision of an excessive amount of hydro-electric power to the Toronto region, encouraging increased industrialization and intensifying the already serious problems of overcentralization in this area.

I say without question that what is needed immediately is a public inquiry into the Bradley-Georgetown line. I'll tell you why, Mr. Speaker. There has been no opportunity to challenge the in-house study of Hydro in the public forum. They should be required to say what they are doing and why they are doing it. No new transmission corridors should be cut until a full study has been made and alternative existing corridors completely utilized.

The second reason why I think we must have a public inquiry in this province in regard to the Bradley-Georgetown line is the fact that, based on Hydro's own failures, the line cannot be justified. Let me take just one

area in that line and use the figures supplied by Ontario Hydro in its own environmental report—Ontario Hydro 500-kv transmission line right of way, Bradley-Georgetown environmental report, vol. 1, page 83. I take the Eastern Garafraxa area and the Erin area and I am dealing with what is named in this report as the original route and the alternative route. The original route, I am given to understand, is the concession 2 route; the alternative route is the concession 4 route. Ontario Hydro has settled on the concession 2 route. These are the figures for that routing as opposed to the concession 4 routing.

They include the total number of miles of right of way required in the original route which is the one Hydro is going to use. The information meetings are now being held on this particular line at this moment, Mr. Speaker, in several municipalities in that area, where Hydro tries to explain why it is doing the things it is. In any case, let me get back to this report. The total miles of right of way required for the original—and this is through East Garafraxa and Erin—are 17.6; the alternative route, 15.6. In terms of mileage, the alternative route is the more attractive.

We come to total acres of new right of way required. In the original route which Hydro is using, it is 1193 acres; in the alternative route, 1,058 acres. There again the alternative route is more attractive. We come into the area of class 1 and 2 agricultural land. In the original route, 431 acres of class 1 and 2 agricultural land will be used in the route Hydro is going to pursue. In the alternative route, only 194 acres are going to be used. Of acres of intensively used class 1 and 2 agricultural land in the original route which Hydro is using, 225 acres are going to be taken out of intensive production; in the alternative route, 99 acres. On that point alone, Mr. Speaker, I think Hydro is seriously flawed in its judgement.

For the life of me, I cannot understand why they are taking those power lines through some of the best agricultural areas in those two townships. It just indicates to me the degree of importance with which Ontario Hydro views agricultural land in this province and in this country. It couldn't care less.

Then we move on to the total number of water courses lost by right of way in the original, which is the one they are using, which is 11; in the alternative, 5. We come down to total acres of wooded land in the right of way. In the original it is 234 and in the alternative, 326. If one wants to talk about the number of buildings in the original, it is two; in the alternative, no buildings. The total number of properties crossed by right of way in the original is 75; in the alternative, 47. The total number of properties diagonally severed by the right of way, in the original is 17; in the alternative, one.

This has been a big point of Hydro in the lining of the routing through my area, through the area of Huron and Bruce county, the fact that they don't like to have any more diagonal intersections than possible. They like to try to avoid them because they are very costly and they sever or chop up the property very badly.

They have argued many times in my presence that they try to avoid severing land diagonally at all cost. Yet in the route they are going to use through Garafraxa and Erin they are diagonally severing 17 properties, as opposed to only one property if they used the other route.

On every single count, Mr. Speaker, in establishing their routes Ontario Hydro have completely disregarded their own criteria in favour of the proposed original routing. Why, I can't explain. It's beyond me. I don't know. There's no answer to it. Given Hydro's criteria, based on what they try to do in establishing a routing, every one of the points is violated in this particular routing and yet they're going ahead with it.

There's is no question, I say, that this matter must be subjected to a public hearing. The Minister of Energy (Mr. Timbrell), in my view, has no alternative but to establish a public hearing in regard to this matter, because the very vital public question has to be: "Why is Ontario Hydro doing this? Why are they violating their own established rules of procedure in setting up a line of this nature?" I don't know. The public doesn't know. The property owners involved don't know. I think the only way we're going to find out is to have a public hearing.

Mind you, I have some ideas as to why they're doing it. Perhaps they're right, maybe they're wrong. I don't know. But in my view one of the reasons Hydro is so intent on going forward with this line — and my proposition basically is that it doesn't need the line at all; it is the least required line now — is that Hydro knows it would be the hardest one to obtain in the future. They want the line sometime in the future because they feel it's necessary for the security of the system.

As a matter of fact, the former Minister of Energy indicated that as far as he was concerned the arguments proposed by Hydro showed that the security of the system in the short terms was more than adequate but that

while the short-term security might be adequate, the long-term needs might call for a brand-new corridor. So Ontario Hydro takes that to mean that it can put that corridor through now although it's really not required, because if Hydro leaves it for a number of years it's going to be almost impossible to get it through because of environmental considerations, because of the need and the public outcry to preserve good agricultural land and so forth.

Even though they don't need this line at the moment, they are going to put it through because they think that they just might happen to need it at some point in the distant future. In the meantime, they are destroying good agricultural land; they're disrupting the ecology and they're upsetting the property owners all the way along the line.

This is really part of Hydro's land-grabbing policies that I have talked about before. They're doing some land-banking in this instance, Mr. Speaker; and, as far as I am concerned, I don't think they should be permitted to do it. That's why I want a public inquiry, and that's why I urge the Minister of Energy to institute a public inquiry on this matter immediately — the sooner the better. We haven't got any time to waste on this matter.

As a matter of fact that's one of the big arguments that the ministry uses in regard to this particular line. They say it's imperative that we have this line not only for the security reasons which are important in the long term, but we need it to get the power out of the Bruce generating station by 1977. If we don't have sufficient lines to get that power out, we are going to be in trouble, and it's going to cost the power users of this province an extra $31 million by 1977—and perhaps as high as $60 million by 1980, if we haven't got the lines in place to get the power produced in Bruce out to the consuming areas.

My point is this, the rights of way are already there. They are already in place to get that power out from Bruce. All Hydro has to do is use the present rights of way that it owns and it is home free. But they don't want to do that because they want to put in this extra line to ensure that they have a little to play on. As far as I'm concerned, Mr. Speaker, I'm not prepared to endorse any more ego trips of Ontario Hydro—because I don't think they need it. I think a public inquiry would show that they don't need it, and I think if the minister doesn't agree to a public inquiry it's an abdication of his responsibilities.

I want to leave that particular topic for now, Mr. Speaker, and turn to another topic that I have talked about at various times over the past number of years, the matter of the disposable bottle. You may recall, sir, that I introduced a bill back in 1971 which would have banned the disposable bottle. I thought, in view of the report of the provincial solid waste task force, I would make a few comments in that regard, particularly in view of the minister's response which has so far been totally inadequate in this particular area.

The solid waste task force was formed in the fall of 1972. It had very broad objectives in terms of reference. No sooner had it got going than the minister indicated that, in his view, it should concentrate on the packaging of milk and carbonated soft drinks, alcoholic beverages and so on, because he felt those the most pressing of the solid waste problems, countenanced by the province at that particular time. As a result, two subgroups were set up within the task force to study this particular problem—the beverage-packaging working group and the milk-packaging working group. These were constituted separately from the solid waste task force itself.

Vol. 1 of the report contained the reports of the solid waste task force and of its two working groups. Vol. 2 of the report is the environmental study of beverage packaging, and it's to this report that I want to refer during these comments. I think it's fair to say that vol. 2 is the most formidable and most significant of the reports.

The environmental study was undertaken by the secretariat of the solid waste task force, an independent body, an excellent group of people who had a great deal of input into the final outcome and recommendations of the report. I think even the industries involved in the task force report were somewhat of the view, although grudgingly, that the secretariat was completely unbiased and that many of the things that the industry had been putting forward by way of facts and figures in regard to the solid waste programme and in regard to the problem of disposable packaging, particularly the bottles and the cans, were not really accurate.

As the study put it, any switch from the use of non-refillable soft drink bottles and cans to refillable bottles is beneficial to the environment. The study, in a very scholarly way, scrapped a lot of the figures and the folklore which the can and bottle industry had circulated on the subject.

I find it rather interesting that out of the recommendations—and I believe there were

16 of them in regard to the beverage packaging working group—six were for further study into the matter and the other 10 were recommendations which run the entire gamut.

Recommendation No. 10 was that the detachable pull top on cans should be eliminated. I think recommendation No. 1, however, is the important recommendation. It recommended that consumers be given the option in the store of purchasing soft drinks and beverages out of either returnable or non-returnable containers. In other words, the consumer should have the option and both types should be placed before the consumer in all of the retail outlets.

The government, however, has not seen fit to implement that recommendation for one reason or the other. Perhaps they felt it would be difficult to do, that it would involve a complicated system of refunds and it would necessitate the retailers building extra facilities on to their present facilities in order to accommodate the return of bottles and cans.

Admittedly, there are complications, there are problems. But I think the first recommendation of the working group was a key one and since the government and the minister have not seen fit to implement it, then I think it's pretty obvious that the government really doesn't want to do anything concrete by way of lessening this problem—a growing problem this last few years—in our society. What the minister has said is that there can be no more cans sold with the detachable pull top. That's really the only recommendation that he has accepted and implemented.

As far as I am concerned, it was a good exercise for the committee to try to come up with a programme of deposits and refunds and develop a system that could establish some sort of free play in the marketplace between the refillables and the non-refillables. However, as I understand it, the committee, after struggling with this problem for a period of time, simply threw up its hands and said, "No, there is just simply no way that we can ever arrive at a workable solution to this problem. The neatest and the most clean-cut method is simply to ban the non-refillable cans and bottles entirely."

Quite frankly, I support that ban and that particular proposition because I feel it is really the only alternative. There have been other jurisdictions which have undertaken the complicated system of refund legislation and so on. I think Oregon is one of those jurisdictions that has undertaken that kind of thing. It is interesting to look at some of the statistics in Oregon because they have had some success with their legislation—a great deal of success, as a matter of fact. From that standpoint, if the government were to undertake a programme of a similar nature, at least it would be a big step in the right direction and it would be far better than what is being done at the present, which is almost nothing.

The State of Oregon was the first state to enact beverage container refund legislation. It was enacted on Oct. 1, 1972. There is a rather complicated refund system attendant with their legislation, and I don't think I'll go into that. They also in their legislation ban cans with detachable opening devices. With the legislation there has been a switch from less than 50 per cent of containers being returned in 1972 to over 95 per cent being returned at the present time. That is quite a dramatic increase in that regard. A report on the effect of their particular legislation one year after it was enacted indicates that the bill has effectively reduced the volume of solid waste and litter caused from beverage containers. This decrease could account for a $700,000 annual saving in trash handling and cleanup costs.

Brewers and bottlers have saved $8 million through the use of refillables. The bill has resulted in approximately 365 more jobs than before. In terms of energy saving there has been a saving of 1,320 billion Btu per year. This is equivalent to heating 11,000 housing units by gas, or a city of 46,000 people per year. In terms of electrical energy saving, this has amounted to a saving of $2.5 million per year.

Given their legislation and given the fact that this province would do the same thing, we could anticipate a dramatic increase in the number of returnables used. We could anticipate a tremendous increase in the saving of energy and trash handling and costs associated therewith. As a matter of fact I am told that in the Province of Ontario we could save $3.2 million per year by getting rid of the bottles and cans. And really I think that is the only alternative.

As far as I am concerned, I think the ideal environmental solution is to eliminate waste at the source. By banning the bottles and the cans we'd be doing this. I am not suggesting a ban overnight. I think it would have to be a phased ban to give the industry time to adjust; that's no problem. All I want is a commitment from this government to take some action, which it certainly hasn't taken up until now.

One of the big arguments when I introduced my bill to ban the disposal bottle back

in 1971 was the fact that many jobs would be lost. Jobs would be in jeopardy. It was of great interest to me, based on the figures given in the task force report, that a return to the old system—that is to say, where we didn't have any non-returnables—return to returnable bottles, returnable containers, would save the consumer over $7 million, produce 600 new jobs, and have significant environmental benefits.

The prediction of 600 new jobs was of vital importance to me, because I had been concerned at the time that there would be some dislocation in the industries and that some of these people might lose their jobs. But in the research done by the task force, it was shown that not only would these people not lose their jobs—although they wouldn't be doing the same jobs — there would be an additional 600 new jobs created. I believe the net increase is 645 new jobs. Of these, 385 of these are the result of the extra spending power from the $7 million or so which a return to returnable bottles would save consumers. The remaining 260 jobs would be created in areas of distribution and handling.

So, I really think the one big argument of the industry, of the unions, of the workers, has been dispelled with respect to the ban on the bottles and the cans.

I would suggest that the government really has no other alternative in the long haul. I think any interim programme it brings in by way of legislation, is only going to be a temporary measure—because in the long run I think they are just putting off the inevitable. I am suggesting that it is inevitable that the non-returnable bottle and the can will ultimately have to be banned if we are going to ease the problem of waste in our society.

None of the conventional arguments against the environmental measures, in terms of added costs and society hardship, need apply. The fact of the matter is we got along very well before the non-refillable bottle came on the market. Soft drinks were available. They were readily available in returnable bottles. The fact of the matter is that the throw-away bottle is not a necessity in our society, far from it. If our government can't come to grips with this particular issue—which is, in my view, fairly clear-cut—then I don't know what hope we have for solutions to more complex and difficult problems.

I urge the government to take some action in regard to this matter and to indicate to the people of Ontario that it does have some real concern and interest in the problem of waste and disposable packaging. I don't know why this government is seized with such paralysis, because I would hope that this should be one of the easier decisions it can make. We are looking forward to action on that one.

Before I close, I should make some comment in regard to agriculture. Agriculture is my responsibility in this House. I just want to deal with it briefly, and really in passing, at this point. I want to have more to say about it later on—perhaps in the Throne debate of the new session, which isn't too far away, I am sure—and then again, during the estimates of the Ministry of Agriculture and Food.

Mr. P. J. Yakabuski (Renfrew South): The minister is doing a good job, isn't he?

Mr. Gaunt: There are a couple of problems I just want to highlight briefly. The first one is the matter of importation of live poultry into Canada. I recognize this is primarily a federal responsibility, but I feel I should mention the matter in the hope that perhaps the Minister of Agriculture and Food (Mr. Stewart) in his discussions with the federal minister might undertake at least to see if some relief couldn't be given to the industry at the present time.

When one takes a look at the importation figures of live chicken over the past number of years, the figures are somewhat startling. In 1972, we imported 2,718,964 lb of imported chicken. That's both live and carcass. In 1973, it was 934,308 lb, and in 1974—a startling increase— it went up to 7,029,591 lb.

The first few weeks of 1975 show no relief. As a matter of fact, the chicken is coming in from the United States at an unprecedented rate. The first 24 days of this year saw 575,147 lb of chicken come into this country from the United States. Needless to say, that's causing a great deal of concern to our broiler and roaster farmers in this province, and I'm sure in this country.

What has happened is that the chicken coming in from the United States is coming in at a cheaper rate. Chicken is cheaper in the United States, and so the importers and the retailers of American chicken are taking advantage of this and bringing that chicken in and, for the most part, selling it at Canadian prices. There is certainly a bit of a ripoff there in terms of chicken prices as they relate to the American imports.

There has been no noticeable reduction in chicken retail prices in the stores, even with this tremendous influx of American chicken. What has happened is that the

chicken on Canadian farms have started to back up as the imports have increased. Many of the chicken farmers have had to keep their chicken broilers longer than they would normally. They've got overweight and they're into the roaster class. It has meant that many of our chicken farmers are losing a lot of money and in some cases are not even getting a reasonable offer at any price to remove those chickens from the growing facilities.

It is a serious concern. I have had some representation made to me to indicate that if it doesn't stop or at least slow up there won't be any independent broiler producers left in this province. They'll be entirely integrated because the only way they can survive is to associate themselves with a hatchery or a feed company or some other intergration related to the chicken industry. In that way, they can have some security of supply and they can have, in some cases at least, security on price.

With that, of course, goes a very tragic trend in the loss of independence to these farmers. I see my friend, the hon. member for Middlesex South (Mr. Eaton), frown when I mention price. I think the integrators in some cases are offering a basic cost-of-production price. Sometimes they're offering what might be termed a profit price, because the farmers are being so hard put because of these importations.

It has been suggested to me that unless something is done very quickly in this regard, we are going to have no independent chicken broilers left in this province. All of them will have to go into an integrated operation where they join with the feed company, the hatchery or some other industry.

It has also been suggested to me that one of the solutions will be Bill C-176, the national marketing bill. I am not so sure. I have watched with amazement some of the things that have happened with the CEMA affair, and my information is that CEMA is on the verge of collapsing. I hope that doesn't happen, but if it does then I am not so sure it augurs very well for another national marketing agency that would follow closely on its heels. I don't know. I really haven't settled my own thinking on that particular point.

In the short term at least, I think Bill C-176 does not give these farmers the relief they are seeking. I think it is going to have to be done by government action, primarily at the federal level and encouraged, aided and abetted, I hope, by this government here.

The beef industry is also in a very troubled period right now. We are experiencing a tremendous increase in cattle numbers on farms in Ontario and right across Canada. The beef cycle, of course, is a long cycle; it involves a period of about 10 years, during which there is expansion and then contraction of the breeding numbers in the country.

We have been undergoing an expansion since June 1, 1969, and we are really just starting to reap the whirlwind of that expansion period. As I understand it, the increase since then has amounted to about 45.6 per cent, whereas our population has increased by only about 6.1 per cent.

We can readily see that we have an overabundance of beef. On the one hand we have a tremendous increase in producing capacity, given the numbers of the breeding herd, and on the other hand we have a relatively modest increase in population, which is the consuming side of the equation. The production side has been increasing far more rapidly—just a little over seven times as rapidly—than has the population side.

Added to this is the fact that ordinarily we ship about 120,000 stockers to the United States yearly, and that market has withered substantially in 1974, which means those cattle have to be fed in this country. As I understand it, there is going to be a record calf crop in 1975. Those calves will have to be fed somewhere; and if we can't export them to the United States, then they will have to be fed in this country.

To put it simply, it looks as though the beef business is going to be in some trouble for the next two years because the 1975 calf crop won't move off the market until 1977. For the next two years, I think we are going to have a very troubled beef industry. Many producers will be losing money hand over fist, with little chance of recovering it; this will particularly hurt the younger people who have high mortgage payments, for whom I see no other alternative but that many of them will go broke in the process. I think that is particularly unfortunate.

I think it is particularly unfortunate also that, coincident with the increasing numbers of beef cattle breeder stock across the country, the Ministry of Agriculture and Food came in with its beef-heifer programme to increase our supply of feeder cattle. I think all that has done, really, is exacerbate a bad situation.

I really don't know what can be done, I think, basically, it's just a question of working ourselves out of the oversupply. Perhaps

the government, federally and provincially, could give some consideration to some stabilization programme to see the beef men over this rough period. But it seems to me that any action that the government is contemplating, aside from what already has been done—I'm aware of the programmes that were announced last December—is going to have to be done rather quickly, because I think the industry is under very severe pressure and will continue to be. So any assistance in that area by way of government help would certainly help greatly, I'm sure.

Mr. Speaker, I think I'll conclude. I've gone on really longer than I had anticipated. I just want to wind up by saying that, come next fall, all of us in this party are looking forward to being on the other side of the House. I'm sure that many of my colleagues—

Mr. Cassidy: The member may not be here at all.

Mr. Gaunt: I am sure that many of my colleagues will be—

Mr. Yakabuski: He is dreaming. He is pulling the wool over his own eyes.

Mr. Gaunt: —sitting along the front benches. They'll be sitting along the front benches, and I can look around and see all of my colleagues sitting in the front benches.

Mr. R. G. Eaton (Middlesex South): Is the member going to run again?

Mr. Cassidy: It would be a disaster for the Province of Ontario.

Mr. Gaunt: I tell you, Mr. Speaker, all that I want is to be vice-chairman of Ontario Hydro and sit back in the corner up in the third row there, mind my business and talk to Ontario Hydro about where they're going to put their power lines and how they're going to spend their money, and listen—

Mr. G. Nixon (Dovercourt): It will never happen.

Mr. Gaunt: —to the rest of my colleagues along the front bench answer the daily questions that are put to them, which I'm sure they'll be able to do adequately.

As I sit here, day in and day out—

Mr. Yakabuski: Did the member bring up agriculture at Windsor last weekend?

Mr. Gaunt: —I can't help but think that I'm witnessing the death rattle of a government; this government.

Interjections by hon. members.

Mr. R. F. Nixon: They kid themselves.

An hon. member: Oh, he's a dreamer.

Interjections by hon. members.

Mr. Gaunt: The polls indicated it, the by-elections indicated it, and all the indications are that this government is on the way out and we are on the way in. It will be a pleasure, Mr. Speaker, to get over on the other side and run this province the way it should be run for a change.

Mr. Eaton: Isn't the member going to run again?

Mr. Cassidy: The member had better enjoy himself until the next Gallup Poll comes along.

Interjections by hon. members.

Mr. Cassidy: Relax, relax. It's okay. He is finished.

Mr. Speaker: Order, please. The member for Algoma.

Interjections by hon. members.

Mr. B. Gilbertson (Algoma): Mr. Speaker, it is a privilege for me to get up in this Legislature to express my sentiments in regard to some of the things that I'm hoping will become a reality in the riding of Algoma.

An hon. member: The bridge is there now.

Mr. Gilbertson: I was very interested in the member for Huron-Bruce's comments about his views on a nuclear plant, or should we say another nuclear plant, coming in on his side of the province?

Mr. Gaunt: The member can have it. He can have it. He has my full blessings.

Mr. Gilbertson: I am sure that as far as the opposition is concerned I am not going to hear too much adverse flak about getting it up in Algoma.

An hon. member: Get that in writing.

Mr. Breithaupt: The member has more trouble with the government than with the opposition.

Mr. Gilbertson: First, I would like to say that Blind River is a depressed area on the North Shore of Lake Huron, on the North Channel, and this place lost its only industry several years ago. They've never been able to get something back in there that would take its place and would create any amount of employment.

I think we could get a nuclear plant just west of Blind River in the Dean Lake area. I understand that the government has looked at this particular area. They've been up there taking surveys and I understand that it's quite favourable in the Dean Lake area. There are quite a few thousand acres that haven't any farming to speak of and I would think that this will be an ideal place. I want to go on record as being in favour of establishing a nuclear plant on the North Shore in the Dean Lake area.

Mr. M. C. Germa (Sudbury): Don't count on it.

Mr. Gilbertson: I looked at the survey that was sent to the members after they'd been up there and the comments looked very favourable—85 to 90 per cent of the people were in favour of establishing a nuclear plant in that Dean Lake-Iron Bridge area.

Mr. Yakabuski: They should have it there, because the member for Huron-Bruce doesn't want it.

Mr. D. J. Wiseman (Lanark): He gave it to the member for Algoma.

Mr. Gilbertson: That's in our favour, I believe. I'm not sure how many nuclear plants they are going to build in Ontario or what's on the programme, but I understand—

Mr. Yakabuski: The member for Huron-Bruce doesn't want the lines, he wants the plant.

Mr. Gilbertson: I understand they expect to establish four or five throughout Ontario. I don't believe you can get a more ideal setup or more suitable place for a nuclear plant than on the north shore just west of Blind River where it will do least harm to the ecology. We don't have any farmers there who have big bean crops. As I understand it from the member for Huron-Bruce, fumes from the nuclear plant affect the farmers and their bean crops. We don't have anything like that to worry about along the North-Shore.

The reason I am in favour of this is because the people of Algoma, especially those east of Sault Ste. Marie, are very much in favour of getting a nuclear plant up there, for the simple reason I understand a project like that will take about 10 years to construct, and that alone will help the economy. Then after it is completed it will probably employ 200 or 300 people, and that's exactly what they need in that particular area to help the economy.

So, Mr. Speaker, I don't hesitate one bit in inviting the establishment of a nuclear plant on the North Shore.

Mr. Gaunt: The member for Algoma will be sorry. He'll be sorry.

Mr. Gilbertson: I heard some scientists on television the other morning saying that it's very remote that there could be a major explosion from a nuclear plant—perhaps one chance in three million. So I don't think that anybody would worry too much about having something like that happen.

As the members are quite aware Mr. Speaker, in a riding such as Algoma, we don't have too much industry—although I must say Algoma Steel Corp. in Sault Ste. Marie employs quite a lot of the people within commuting distance, which helps considerably.

Mr. Eaton: Don't forget the maple syrup business.

Mr. Gilbertson: The hon. member for Middlesex South says, "Don't forget about the maple syrup industry." I want to assure him that I'm well aware, because it's getting near the time when we'll be looking forward to producing maple syrup again.

Mr. G. Nixon: Great syrup.

Mr. Gilbertson: And if the members behave themselves and don't interrupt me too much when I'm speaking—

Mr. G. Nixon: The member is pretty sweet.

Mr. Gilbertson: —I might do as I've done for several years now, get the page-boys and girls to put a little pat of maple sugar on every member's desk in the Legislature.

Mr. Yakabuski: Well, some of them could stand sweetening, especially over there.

Mr. Cassidy: Does he know if that is in accordance with the Legislative Assembly Act?

Mr. Gilbertson: I couldn't think of a nicer thing to do at this time of year, just to sweeten up this House.

Mr. Cassidy: It will take more than that the next session.

Mr. Wiseman: Some of them need to be sweetened up.

Mr. Gilbertson: I was also interested in the member for Huron-Bruce, feeling quite optimistic that after the next election he would be over there perhaps serving as vice-chair-

man of Ontario Hydro, or something like that. Well, as far as I am concerned the member for Huron-Bruce is a very fine gentleman, and I am sure that he can handle a job like that; but we are not ready for that yet.

I know that they have been waiting a long time, and there must be some reason that they are not over here. There must be some reason; because it is the people who put governments in. They haven't been able to get it across to the people. They haven't got it across enough so that they can get a majority so that they can get over on the other side.

So, I don't know what to tell them. I certainly don't want to give away any secrets as to how I have been re-elected the last couple of times. I don't know whether it's the maple syrup or what it is that makes me sweet so that the people take to me.

Mr. G. Nixon: Right on!

Mr. Gilbertson: Because you can catch more people with syrup than you can with vinegar.

Mr. Yakabuski: Sincerity.

Mr. Gilbertson: Sincerity, too; I believe that is one thing that I—

Mr. G. Nixon: Not part of the time, but all of the time.

Mr. Gilbertson: I have tried to be sincere. When my constituents bring their problems to me, their problems become my problems—

Mr. G. Nixon: He is right on.

Mr. Gilbertson: —until I get them solved.

Mr. G. Nixon: Right on.

Mr. Gilbertson: I am pleased that, since I have been elected to the Legislature, I have been able to help many people in getting their problems solved. It doesn't mean that I have the answer every time, but I think that they will admit that I have tried.

So, Mr. Speaker, I feel that a member's job as a representative of his riding is to represent the people in whatever projects or problems they might have. They bring it to my attention; in turn, I take it and get it into the various ministries, and hope that these projects become reality.

I am pleased at the amount that has been accomplished in my riding since I became a member. I can't help but think when the oppostion members get up and say how the north has been neglected and so on, that in dollars and cents, tax-wise, I feel my area has got its share of the provincial tax dollar. And I think in some cases it has got more than its share.

Mr. G. Nixon: What about that bridge?

Mr. Eaton: A good member to get it for them.

Mr. Yakabuski: And they will get a lot more, because they deserve it.

Mr. Nixon: Great bridge.

Mr. Cassidy: This is the cookie jar school of politics.

Mr. R. S. Smith (Nipissing): That is what it is.

Mr. Cassidy: That is what it is, yes; the member is nodding his head.

Mr. Gilbertson: Well, the truth will come out. I would say to the member for Ottawa Centre—

Mr. R. S. Smith: That is the trouble — the truth is coming out.

Mr. Gilbertson: The truth — all of it has got to come out. I think that one thing—

Mr. Cassidy: There has been a bit too much of it for those members on that side in the last few years, you know.

Mr. Gilbertson: We on this side, as backbenchers, haven't been vocal enough in saying what the government has done. Quite often we sit here and let the opposition rant on and run the government down and everything. But you know, it's just like two lawyers fighting a case. You hear the one side and you think for sure that he's right; but then when you get the other side, that changes the picture an awful lot.

Mr. Yakabuski: That is what the people are waiting for right now.

Mr. Gilbertson: And it is the results that count. It is what you see in the provincial Legislature. It is the number of seats and the number of members who have been re-elected over the years. The people are the ones, in our democratic system, who have the opportunity to speak on election day. I don't think that the people of Ontario are very stupid; I think they know what to do.

I remember when I was re-elected and the Conservative government got in so strongly a second time, one old established resident there says: "Well, I am glad to see that we have got some pretty good straight-thinking people in Ontario." They know what side

their slice of bread is buttered on. There isn't the alternative, when you come to look at it, Mr. Speaker, there really isn't the alternative.

Mr. Yakabuski: Good thinking people.

An hon. member: There is no alternative.

Mr. Gilbertson: I hate just to be this way and say this to the opposition members, but this has been proved for quite a few years now; what is it, about 33 years that the Conservative government has been in power in the Province of Ontario?

Mr. G. Nixon: Right on.

Mr. Yakabuski: Good government deserves support.

Mr. G. Nixon: Continued support.

Mr. Gilbertson: I can remember the Opposition saying—

Mr. Cassidy: Members opposite are whistling in the wind; they really are.

Mr. G. Nixon: So is the member for Ottawa Centre.

Interjections by hon. members.

Mr. G. Nixon: We are hearing so many sour notes that we are getting tired of it.

Mr. Yakabuski: They have to learn the hard way.

Mr. Cassidy: They had to protect his seat in the redistribution or they knew he'd never come back.

Interjections by hon. members.

Mr. Wiseman: The thing is that he is sincere.

Mr. Cassidy: Oh, I don't doubt his sincerity.

Mr. Gilbertson: Mr. Speaker, you have heard over the years how the opposition has said the Conservative government has been in too long and it is a tired government. One thing you mustn't forget is that the Conservative government has been rejuvenated over the years so that most of the cabinet ministers that are in were perhaps in grade school 33 years ago, a lot of them. The old ones pass on and the younger ones come on, but the people of Ontario still want the Conserative government to rule this province.

Mr. Cassidy: And the old ways of the Conservative Party never die.

Mr. G. Nixon: Rejuvenated.

Interjections by hon. members.

An hon. member: We've never had it so good.

Mr. Gilbertson: I mustn't neglect to say something about the western part of my riding. I am very pleased that the Abitibi is establishing a big sawmill up in White River that is going to help that part of the riding. They are going to employ 300 to 400 people. In a town like White River, with about 1,000 population, this is going to make quite a difference to that town.

This is what we need. Our economy needs a shot in the arm. I must say this is what we have been hoping for and we are making headway. My job, as the member, is to keep pushing on for better highways, get more industry, help out the tourist operators with loans to improve their establishments and look after the affairs of my constituents.

Mr. Speaker, that's all I have to say now. My job is to look after the affairs of the people of Algoma.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker, I want to make a few comments on four things and I'll try to be brief on each, but I wanted to get something on the record before this session ends.

The first thing I want to talk about is the abrupt and disastrous reversal of government policies which has occurred on the question of urban transit and on the questions of the Spadina Expressway over the course of the last few days.

Mr. Yakabuski: No way. The member can't twist that around.

Mr. Cassidy: I say there has been an abrupt, sudden and disastrous reversal of government policies. It has taken place in this Legislature where the signals have gone out to the Metropolitan Toronto council. The council last night has acted on the decision which was signalled by the Minister of Transportation and Communications (Mr. Rhodes) in this House just two weeks ago.

Mr. R. G. Hodgson (Victoria-Haliburton): Metro council doesn't see it that way. The member is out of step again.

Mr. Cassidy: Metro council doesn't see it that way? Mr. Speaker, I'll take this in order. Let's just go back a couple of steps.

In the first place, there has been continuing pressure from Metro council and Metro Chairman Paul Godfrey in order to reverse the govenment Spadina Expressway decision. That has taken place over the last 3½ years and it has never ceased.

Secondly, the Soberman review of metropolitan transit and metropolitan transportation in the Toronto area was adjusted near the very end in order to include a special study of the northwest. It's obvious from internal evidence and what we have learned at the back doors that that portion of the report was inserted near the end because of pressure, once again, by Metro council and quite possibly by the government here.

Third, there were recommendations made in the Soberman report which flowed from that pressure and which indicated that one possible solution to transportation problems in the northwest was the creation of an arterial south of the Spadina Expressway through the corridor and the creation of an arterial on the Highway 400 extension route. That needs to be read in the context in which the Soberman report came down, but that of course was not done.

Next: Paul Godfrey got the report. He turned to the section on the northwest. He underlined those portions that were favourable to his point of view. He sent it down to the Premier (Mr. Davis) and the Minister of Transportation and Communications (Mr. Rhodes) and he said: "When are you going to act? I want action now." And what happens?

If David Crombie comes up here to get action, nothing happens.

Mr. Yakabuski: Did the member see the underlined copy?

Mr. Cassidy: No, I haven't seen the underlined copy. Has the member for Renfrew South seen the underlined copy?

Interjections by hon. members.

Mr. Cassidy: All right. The Premier is perfectly open to bring his copy that he received from Paul Godfrey and to say that it is not underlined. However, Mr. Godfrey's own people indicated in the press that Mr. Godfrey sent this down and said: "I want action now."

Within a very few days—within a week in fact—we had the Liberal Party, which is as divided as ever on the issue, asking the Minister of Transportation and Communications what his view was on the Spadina Expressway. The minister said, in effect: "If Metro wants to go ahead, that's okay by me."

Then it sifted over to the Premier. The Premier was asked: "Is that now your policy?" He simply sat there mum and indicated that he acquiesced in the reversal which was carried out by the Minister of Transportation and Communications. Within a very few days, we also had the Premier indicating that this government would also agree to an increase in the TTC fares and other transit fares across the province and now last night we have Metro council deciding, without advance public notice, that it is going to pave the ditch, that it is going to pressure Queen's Park in order to create, not just an arterial along the Highway 400 route south of the 401, but a new expressway in that portion of the city—a new expressway, Mr. Speaker.

Mr. Eaton: Does the member think all the TTC fares should be subsidized?

Mr. Cassidy: One has to ask whether a deal has not been reached with the minister and the Premier that the Province of Ontario, in order to accommodate Paul Godfrey and his tinpot empire-building politics here in Metro council, will invest millions and millions of dollars—

Mr. G. Nixon: Oh, come on. The member is kidding himself.

Mr. Yakabuski: He is millions wrong.

Mr. Cassidy: —of provincial taxpayers' money in the extension of the Highway 400 expressway. Now, I have people back in my riding in Ottawa who would dearly like to see transit improvements or social service improvements with that money, but there are taxpayers from across the province who will be called upon for a sordid deal that has been cooked up in the back rooms between a couple of Tories who don't understand what it is to be responsible to the public, Bill Davis and Paul Godfrey.

Mr. Speaker: I must remind the member it is very unparliamentary to be calling the Premier of this province Bill Davis.

Mr. Cassidy: From a sordid deal that was cooked up—

Mr. Speaker: No, no, you are out of order when you do this, so please refrain from it, will you?

Mr. Cassidy: —between Premier Davis and Metro Chairman Paul Godfrey. Is that better, Mr. Speaker?

Mr. Speaker: No, no, you don't call the Premier or minister or any other member by their names—you refer to them by ridings —the hon. member for a certain riding. You don't call them by their first names, or more particularly, don't call them by names at all. You refer to the Premier and you refer to the hon. minister.

Mr. Cassidy: Thank you—from a sordid deal that was cooked up in the back rooms between the hon. Premier and the hon. chairman of Metropolitan Toronto.

Mr. Speaker, the report itself needs to be looked at fairly closely and I will put a couple of the points that were made on the record. First, while congestion was forecast if nothing happened in the northwest, we have to bear in mind that the reason for the problems in the northwest sector of the city is that the government has had a romanec with Krauss-Maffei and has not been serious about finding alternative solutions for the transit problems of Metro as a whole or of the northwest—that's one.

Secondly, Mr. Soberman indicated very clearly in his report that the first decision that Metro must make is whether it wishes to continue centralized development or whether it wishes to have decentralized development in the city and in the metropolitan region; and until that decision was made, it could not come to conclusions about Spadina or Highway 400.

Thirdly, the Soberman report indicated very clearly that whether there were to be improvements to the arterial road system or other transportation improvements in the northwest area, they should be preceded by studies which could be carried out over the course of less than a year. He said: "Don't act until that's done."

Fourthly, it must be clear that Mr. Soberman indicated that of the two possibilities, he favoured action along the Highway 400 corridor; he did not feel that the paving of the Spadina ditch was a particularly desirable solution. He said that it wouldn't be a total disaster but in no way did he give it priority over other possibilities.

Next, he said specifically that the Highway 400 extension could not go ahead now because insufficient information was available and it had to be studied first.

Now, in fact, Metro has simply barged ahead and run roughshod over the protests of people like the mayor of the borough of York, the city of Toronto representatives and many other politicians and, far more important, many citizens in the area. There is a feeling, which I think is well founded, that there is now an inevitability about the creation of both the Spadina Expressway right down to the heart of the city and the Highway 400 expressway, which would take out between 4,000 and 7,000 population and between 1,200 and 2,000 homes, according to the best estimates that Mr. Soberman was able to make.

In less than two weeks we have seen the final destruction of the "cities for people" philosophy, which was projected by the Davis government as one of its so-called commitments in the 1971 election. We have the Spadina Expressway, or something like it, back. We have fares starting to climb again. We have the abandonment of Krauss-Maffei. We have the lack of any alternatives in the transit field. We have a government which is bankrupt in ideas, and is now showing no alternatives but is again giving its acquiescence to an expressway-oriented policy.

Mr. Speaker, very briefly, we in the NDP would urge that the studies proposed by Mr. Soberman be carried out at top speed. Metro should make a decision that would involve decentralized growth within the metropolitan region, rather than further centralization in the downtown core. In addition, Metro should actively work with the province for a policy of decentralized growth in Ontario as a whole so that the pressure of growth in the Toronto-centred region would be reduced and some of that job creation and stimulation could be applied in eastern and northern Ontario, rather than here.

We would urge, as an alternative to the paving of the Spadina Expressway corridor, that the Spadina subway construction be accelerated by at least a year to the maximum extent feasible, and that park-and-ride facilities be built at the north end of that subway route to give commuters coming into the downtown core an alternative to trying to filter through an admittedly difficult traffic situation. We would also urge that there be accelerated action by the province on the possibility of a transit corridor along Eglinton Ave., as has been proposed by Mr. Soberman in his report.

Those are steps that can be taken now. Further study will still be needed, I recognize, in the northwest corridor area. When those studies have been made and that action is taken, let it acknowledge, as Mr. Soberman acknowledged, that the northwest corridor area—or the northwest sector of Metro as it's

called—is relatively self-contained and that its problem is not access to downtown Toronto. Its problem is internal transportation, both by transit and possibly by automobile, and the solution should reflect that particular situation.

The second thing I want to talk about, Mr. Speaker, is the private member's bill that I put forward about the protection of families against discrimination in rental accommodation. I think I have a copy of the bill here. It has had a very positive response from individuals and from groups, even from groups such as the Alliance for Life.

The purpose of the bill is very simple, Mr. Speaker. It is to prohibit discrimination in accommodation against people by reason of their age or by reason of their having dependent children who will be living with them in that accommodation.

Ontario now prohibits discrimination in accommodation, as in jobs and other things, on the grounds of race, creed, sex and colour. I think those sections of the Human Rights Code are acknowledged by everybody in the House to be worthwhile and to be reasonably effective. I think we can be quite proud of our record in those sections of the Human Rights Code that do actually apply.

I think, for that matter, that the Ontario government itself does quite a commendable job in its employment policies of ensuring non-discrimination.

Mr. G. Nixon: It would be real fine of the member to say something good about it, wouldn't it?

Mr. Cassidy: Yes, that's right.

Mr. Deans: It is difficult.

Mr. Cassidy: When it comes to the question of families though, we find a much more difficult situation. Mr. Speaker, I want to read into the record a few statistics that would indicate to the House just how serious this problem of discrimination in rental accommodation has become in areas like Ottawa and Metropolitan Toronto.

In my riding I believe there are currently four or five apartment buildings which are in the process of opening up and renting units. Three of those apartments do not permit families with kids; two of them permit children with grave restrictions and do their best to discourage them.

There are two condominiums currently being built in my riding. One of them will not permit any person to come in who has a child under the age of 16; the other building is clearly also very reluctant to permit kids.

The other day, Mr. Speaker, we checked out the advertisements in a Saturday Star, when the real estate ads are most numerous, to find out how serious this situation had become. I was aware, through phone calls and other kinds of information, that there was an increasing number of buildings being converted to adult-only buildings, and that many of the new buildings under construction were directed only to adults.

The bulk of the apartment suites available on the Toronto market are apartment suites in buildings that have just been built. Those are the ones which put display ads in papers like the Toronto Star. Of 64 display ads in the Feb. 1 Toronto Star for unfurnished apartments to let—in many cases these would represent 10, 50 or even 100 units to let—27 stated expressly in the paper that they were only for adults, and 37 did not specify. We did a check with four of the apartments which did not specify; two of them would not accept kids.

In the small ads, which have more low-rise accommodation, sublets and so on, 39 out of 182 ads—or more than 20 per cent—stated expressly that they were for adults only and would not permit kids.

In the Globe of the same date, 23 out of 71 advertisements, both display and small ads —or 32 per cent—were for adults only.

That's only the beginning of the situation, Mr. Speaker. The other day I had the opportunity to talk with somebody who responded to my bill and wanted to tell me about his situation when he and his wife and their four-year-old daughter went looking for an apartment in Toronto. They have moved in several cities over the last three or four years and have never had problems finding an apartment that was suitable for their needs before.

This time, however, they spent a period of more than two weeks, during which he took time off work and looked day and night for an apartment that would accept him, his wife and their child. He covered more than 1,000 miles in his car in the course of those two weeks, so obviously he wasn't just simly sitting on his rear end looking. These were his experiences.

At Crescent Town in the east end of Toronto, where there are three 25-storey buildings at 7, 9 and 11 Crescent Pl., only the first five storeys are for people with children, and they were not permitted to take any of the

apartments that were available in the upper storeys because they had a child.

When they went to Greenwin—and I am not sure of the address—they were asked whether he and his wife minded going onto a family floor. He and his wife said: "No, of course not, because we have a child." They were promptly told by the management: "We're sorry, we can't take you. We're not taking people with children on the family floor." This was the case where, obviously, the building was in the process of a quiet conversion to an adult-only building.

At 77 Davisville Ave. in a complex of apartments, they were about to sign the lease, when it happened to be mentioned that they had a child. The forms were almost snatched away from them and they were refused the opportunity to rent.

In another building—I haven't got the landlord—there were two apartments available and one couple was ahead of them in the queue. One apartment was on the family floor and the other one was a few floors higher. The management actively pressured the couple who had priority to take the apartment on the family floor, even though it was clear to both the management and to the couple that my friends had a child and also needed the apartment. The couple did take the apartment on the family floor, despite not having children, and my friends could not get the place.

In the Quebec-High Park area, on Quebec Ave., I think it is, in the westend of Toronto, in a building controlled by Cadillac-Fairview, these people went to management in order to sublet an apartment which was suitable for their needs on the 10th floor. They were told no because children were only permitted up to the eighth floor.

Another sublet happened to become available in the neighbouring building which was occupied by the same management. That was on the eighth floor. They said: "Fine, that's good. These people have a policy. At least, we can get in on the eighth floor." They went into that sublet and were told: "We're sorry, this is a different building and our policy in this building is no kids above the fifth floor."

You can imagine the kind of frustration that existed there, Mr. Speaker. This kind of experience is being repeated every day by people who are desperate for housing accommodation in the Toronto market and to a lesser extent in Ottawa and in other centres around the province. It shouldn't be a problem. The rental market should accommodate the needs of people who are single and the needs of people who are couples and the needs of people who are families.

But it has broken down now. It has broken down now because it's a tight housing market. It has broken down now because landlords are taking advantage of that tight market and of the greater ability to pay of people who don't have children to support. Families are economically weak in the housing market because they need more space and they tend to have less income. The mothers can't work. She has to pay for day care, and so forth.

What is happening, Mr. Speaker, is that a real prejudice is developing against children in this society. It's spreading, and it isn't just among old people. It's also among people who say: "We don't like kids. They're nasty little brats," and that kind of thing.

It's no different than that kind of thing which has a tendency to exist in relation to black people, Jewish people or other groups that are discriminated against in our society. Yet if I can be philosophical for a moment, one of the purposes for which we gather together, that we have an economic life, that we have a Legislature and that we have laws to protect morality and so forth is because of a belief, that I think everybody in this chamber shares, that the raising and nurturing of children is a very important element in our society. In fact, it's one of the raisons d'etre, one of the reasons that we're all here. Even those of us who choose not to or who are not fortunate enough to have kids will still subscribe in theory to that particular principle.

In practice, however, given the chance, people are saying: "No, I don't want smelly, snotty little brats on my floor intruding on my particular living environment." I just don't think that that should be permitted, Mr. Speaker. There used to be a tradition, which may sound a bit paternalistic or chauvinistic, to talk about women and children first; that as a society we would seek to protect those which we consider to be the weaker members of our society. Maybe women can look after themselves, but I don't think children are at the point where they can look after themselves now, Mr. Speaker. We should not put people who, by choice or by chance, happen to have kids into the position where they simply cannot find accommodation.

The proposals I put forward, in Bill 184 I think it was, are not perfect. They don't solve the problem completely. I suggested in order to prevent overcrowding that a land-

lord be permitted to have an occupancy standing, for example, of no more than one person per room in his apartment, to prevent somebody with six kids moving into a two-bedroom apartment. That's perfectly reasonable.

I would also suggest and put on the record that if a prospective tenant comes in with a bad record, a record of being disruptive or destructive, from his previous accommodation, a landlord has a right not to accept that tenant whether or not that tenant has kids. Likewise, with a tenant—be it a bunch of young singles or people with kids they can't control—who proves to be destructive and disruptive after a year or two, the landlord should have the right, under certain circumstances, to evict that particular tenant.

I'm not disputing that. But the idea that they can put a phrase in an ad that says "adults only," and simply exclude that large group in society that has children, is far, far different than saying that they'll judge on cases and that occasionally they won't accept somebody because they think that the kids are not going to fit in. The plan still wouldn't be perfect, because for example certain apartments would not have facilities designed to accommodate children and they would probably tend not to get many families with kids.

There is a natural sorting out that happens in the rental market anyway. Some buildings are old and dignified and some attract young swingers. The young swingers will tend to congregate where others of their kind are and the older people who like a quiet life will tend to do that too. That natural selection would probably tend to continue under the legislation. There would also be discrimination based on rents. Certain developers would charge $400 a month for a two-bedroom accommodation, so that accommodation would be out of the reach of those people with kids and, therefore, the building would be unlikely to have many families with children. Other places where the rents were $200 a month for a two-bedroom accommodation would tend to have more families. So it wouldn't be perfect, but it would be a lot better than the situation that we have now.

If we decided not to prejudge against families we wouldn't be overwhelming the apartment market. We wouldn't be creating the situation where every floor is going to have 10 little three-year-olds running up and down the corridors. In the first place, families, where they have a preference, will probably not move into apartments. In many cases it will be single mothers with kids, people who have a child with a particular health need who needs to be close to a hospital, people who want access to day care, people who can't afford transportation. There are people with special needs who will be looking for apartment accommodation.

Another group will be people who are moving from one city to another and need to have accommodation that they can acquire quickly, like an apartment, while they look for a more suitable long-term place to live; and people who are saving up money until they can buy a place of their own; that kind of thing. These are the people who will tend to use apartments if they have children.

But they have a legitimate need and a legitimate right, and it seems to me that it's a shameful kind of legacy or mark on this society in Ontario that we can permit landlords to discriminate against people with kids. It is shameful that the Minister of Labour in this government (Mr. MacBeth), when asked to comment on an amendment in this Legislature that would permit families access to accommodation and prevent the kind of discrimination I'm discussing, would say he didn't think that our society was ready for it; it wasn't the policy of this government; and he thought that people who didn't want to have children around should have that right. It would be shameful if he said he thought should have the right not to have Blacks or Jews or Hindus or other people like that around; that would be shameful and would be seen as such, and it's equally shameful if he makes that same reference to children.

I intend to continue with this particular bill. I hope that the government takes note of the comments that I'm making in this debate and I hope that it acts upon it in the spring session of the Legislature, so that discrimination against families ceases.

Mr. Speaker, I want to comment very briefly on the question of rents. This is the untold story of 1974-1975; the fact that rents in Metropolitan Toronto in particular are now escalating at an astronomical rate and that there has been absolutely no response from this government to that crisis for tenants. We had an indication—

An hon. member: Yes, there has.

Mr. Cassidy: There has been no response. The Minister of Housing (Mr. Irvine) and the Premier were confronted with the possibility of $70 rent increases in Peel Village, which I think is in the Premier's riding. The Housing Minister said: "Well, let them contact me, and I'll see what I can do."

Well he saw what he could do when he got a 10 buck reduction on the rent increase

in return for an agreement not to paint the apartments that year. And that was all. It was a trifling kind of a concession. It was done on a grace and favour basis because of political intervention. But it certainly didn't stop the rent increases, which are now coming forward by the bushel, Mr. Speaker.

At 5 Brookbank in Don Mills, for example, rents of $219 a month have been raised to $282 a month. There is a two-year lease and at the end of the first year the rent will increase by a further $40 a month.

In Peel Village, a $50 increase in a one-year lease. In Rosebury Sq., a Cadillac development, a $35 increase in a one-year lease Greenwin, a large developer in Toronto, is apparently increasing its rents by around 35 per cent across the board in Toronto and is only granting one-year leases.

Belmont, another large developer, is also setting 35 per cent increases across the board, and leases of only one year.

My own mother, who lives on her own in a bachelor apartment in Toronto, has had a $40 increase; and there is another increase slated at the end of the year.

Two- and three-year leases, which were common, are now being replaced by one-year and even six-month leases. Tenants Hotline, a group set up this winter in order to help tenants, says that the increases that are being reported on its phones range between 27 to 45 per cent across the city, and in many cases no leases are being given whatsoever.

I have had a lot of contact with developers, over the last months, Mr. Speaker, because of the bills I have been involved in, such as the condominium bill this week and the certain bills relating to land development and land banking and so on. When I talked to them they are urbane, gentlemanly, nice people who indicate in person that their only concern is for the betterment of society and for getting a reasonable kind of fair profit. I find it hard to equate that with the actions they take when they go out into their offices and make corporate decisions.

I cannot understand how people who say they are civilized and support the ballet and all the other things that they do, can turn around and discriminate against people with kids in that automatic, vindictive way that I've described; or how they can justify rent increases of 25, 30, 35 per cent in one year, which are clearly not justified by cost.

That's why, Mr. Speaker, I have proposed, and will continue to propose, that this Legislature adopt a rent control measure for the Province of Ontario. It would ensure that rents can increase in relation to costs; it would ensure that landlords can continue to get a reasonable, fair profit; but it would protect tenants against the kinds of rip-offs to which they are beinig subjected daily in Toronto and in other parts of the province.

We happen to be fortunate right now in Ottawa that we are not having rent increases on the scale they are experiencing in Toronto, Mr. Speaker. The reason is that there is a much higher vacancy rate. Unfortunately, that won't last for long. But at the present time there are landlords who are actually offering rent reductions in order to entice tenants to move into their developments.

Now, I ask you, Mr. Speaker, if they were losing money at the present level of rents, would they really be offering rent cuts because their vacancies are two or three per cent of the total number of units? And the answer is, of course not.

What is happening down here is that in a tight housing market in Metro Toronto and the surrounding region, the developers are taking advantage of that tightness and are simply lining their own pockets at the expense of tenants with increases that far exceed any increases in cost.

The final thing I want to talk about, Mr. Speaker, is the question of eastern Ontario development, which was raised by the announcement of the Spencerville land assembly —and what a joke that is turning out to be.

Mr. Speaker, I want to go through the points very briefly and put it on the record. When Design for Development in Eastern Ontario was published a couple of years ago, there was no mention of a large industrial land assembly anywhere in the eastern Ontario region, and that has never been canvassed as an alternative for people in the area.

We have had promises for the past eight years about the creation of a provincial plan. That plan might be intended to direct some of the growth of the Metropolitan Toronto region into areas like eastern and northern Ontario, but it is still just a promise. And the so-called commitments that the Premier was so fond of talking about at the time of the last election are proving to be nothing but empty pieces of paper. We have no provincial plan.

Mr. P. Taylor (Carleton East): The Liberal government will bring in the plan.

Mr. Cassidy: Ha! I am sorry, I find that the Liberal government couldn't agree on what it would want, so it could never bring in a

plan. They would have the same problems as this bunch here. The member for Chatham-Kent (Mr. McKeough) disowned the member for London South (Mr. White) the day he came into office as Treasurer. The Liberal government would never get around to even knowing exactly where it would stand.

Two and one half years ago we had the introduction of Design for Development in eastern Ontario. It was intended to be the beginning of a plan for eastern Ontario. How one could plan for that region in the absence of a provincial plan is hard for me to tell. Nevertheless, since then there has been no further development.

This particular booklet said there would be facts and figures available to underpin the dialogue on development in the region. It took me two years to get my copy and only by insistent pressure on the people here at Queen's Park. There are no planners from the province who are permanently stationed in eastern Ontario concerned with regional development.

We now have a larger eastern region; no plan has been published for that region. There has been no dialogue. There was a series of a handful of meetings, but subsequently there has been no dialogue. So far as I know, the whole process has ground to a complete halt.

Enter the former Treasurer, the member for London South, who I must say had some megalomaniac tendencies in his handling of regional government, in his handling of land-banking and in his handling of the whole Treasury portfolio. The man thought he could simply whisk away with the flick of a finger, deficits that were approaching $1 billion a year. That is the character of the man.

The former Treasurer talked to one or two of his cronies in the cabinet—the Premier was one; there were one or two others—and said, "I want to buy some land." The rumours say up to 150,000 acres. It's probably a bit less than that. And, in a twinkling of an eye, he went to A.E. LePage and they were buying up 10,000 acres at Cayuga; they were buying up the land from the Cherkas group in the Townsend site in Haldimand-Norfolk; they were buying land at Whitby; they were buying land at Pickering; they were buying 10,000 acres at Spencerville—all with no cabinet approval.

The options were there, and the commitment was made to a price far in excess of prices that prevailed. No attempt was made to use the expropriation route in order that people could comment on or participate in the decisions of the government, or for that matter that the exchequer would be protected.

Who the four ministers are, we don't even know. How that $5 million was committed to Spencerville, we don't know. How the land is going to be used—we'll come to that—we don't know that either, Mr. Speaker.

We do know that the ministers from the area, the Minister of Housing and the Minister of Industry and Tourism (Mr. Bennett) people who ought to have been concerned with a major industrial and housing land assembly in their region—and in the case of the Minister of Housing, in his ridng—were completely in the dark. The Minister of Industry and Tourism went around saying the government would be completely off its nut to build a new industrial complex, that it would be absolutely foolish, and the Minister of Housing was making comments with equal strength.

I don't know what kind of a deal they cooked up in cabinet whereby they can live with the proposal that is being made right now. If they really still feel as they did in the fall, I think they probably ought to quit. But the government is trying, as the Tories say, to suck and blow at the same time. At any rate, they are trying to say on the one hand that this is a major initiative for the development of eastern Ontario; on the other hand, the Tories are trying to say that it isn't really going to influence anybody at all.

Looking at the statement that was made in the House by the Minister of Housing, he said first that the proposal is to facilitate development in eastern Ontario. He talked in gobbledygook about reinforcing the amenities which residents have chosen, about economic and social stimulation, about the communities involved and so on. Eventually he said that EODC will be prepared to do anything these municipalities want in terms of their own industrial development.

Then he goes on to say that the site is being chosen. He doesn't know in any detail how it will be used, but that it will be to accommodate major industries and any associated community and support services which ultimately prove most desirable. He also says that Spencerville has the only deep sea port between Montreal and Toronto, a statement which the people of Cornwall found rather hard to accept because they have always thought that they had one of the few deep sea ports between Montreal and Toronto along the Seaway.

The fact is that we don't really know what the government intends to do, Mr. Speaker.

On Jan. 28, some 250 municipal representatives, along with the Conservative backbenchers from the area, were invited to a meeting in the Macdonald Block in order for the Minister of Housing and the Minister for Industry and Tourism to participate in the grand unveiling of their intentions for Spencerville. These people came here at their own expense and their own time, in order to have what? The meeting had all the characteristics of the unveiling of Design for Development, 2½ years before, which aroused tremendous resentment among the municipal leaders from eastern Ontario; and that resentment was recreated or reinforced by this particular meeting.

For two hours they sat there and asked meaningless questions about what the government intended to do. At about 1.15 the announcement was finally made. There then followed, believe it or not, a series of question, not by the municipal leaders but by Conservative MPPs. The member for Prince Edward-Lennox (Mr. J. A. Taylor), who isn't here, asked a question. He gave a speech in fact. The member for Renfrew South, the member for Hastings (Mr. Rollins) who comes from the fringes of the area, and I think the member for Kingston and the Islands (Mr. Apps) had some thing to say. The member for Ottawa West (Mr. Morrow), who never speaks in this House managed to hold forth for a few minutes, even though the only constituent of his who was present was Mayor Greenberg of Ottawa. When five Tories had spoken, I decided that I was going to put a question. That was just before the time was up because the ministers had to come into the House for the discomforture of the Minister of Industry and Tourism, which subsequently took place.

Mr. Speaker, the resentment was aroused because the government has given no indication of what on earth it plans to do. There were no details about the plans for helping with industrial parks in the other municipalities. The municipal leaders in the area had been treated to a series of tidbits. They had been told by the Minister of Industry and Tourism that major industry means industries requiring 1,000 acres or more, and that negotiations are under way with some industries at this time; but there were no further details and no indications of what kind of industries might be negotiating with the government.

The Minister of Industry and Tourism said to the municipal leaders that Canadian Westinghouse or CGE were the types of firms that might locate at Edwardsburg in the Spencerville land assembly. Now those companies are making appliances. Appliance factories would suit Cornwall, would suit Brockville, would suit Hawksbury or Pembroke or Smiths Falls, or for that matter Ottawa. They are not so noxious or so land-consuming that they would have to go on a site of their own. There is in fact a Philips plant, I think it is, which makes small appliances in Cornwall, where a third of the work force is currently laid off because of a shortage of markets.

We have tried to think in the NDP caucus what kind of industries it was that Mr. Bennett could be really negotiating with. If I can quote from the Hansard of Oct. 15, 1973, I suggested in the debate on the Haldimand-Norfolk bill that the government consider locating the new Stelco plant, intended to go at Nanticoke on Lake Erie, either in the north or east of the province. In my caucus we had some disagreement about where that should go, whether it should be northern Ontario or eastern Ontario. However, I stated that the government should have looked very seriously at Prescott where the member for Grenville-Dundas (Mr. Irvine) was formerly the mayor.

"What about a bit of patronage," I said in jest "for the member for Grenville-Dundas by looking at that particular location which would be well located on the St. Lawrence River to provide an economic impetus for all of eastern Ontario?"

At the time, in other words Mr. Speaker, I suggested that the Stelco plant be located at Prescott. Stelco has acquired 6,600 acres of Nanticoke on Lake Erie and presumably it would need at least 3,000 or 4,000 acres if it were to move to the Prescott area, to Spencerville, but Stelco is now committed to Lake Erie and won't move to Prescott and this government never lifted a finger to try to persuade them to go there. Okay, that's one potential steel mill that's lost.

Just last week, Mr. Speaker, Dominion Foundries and Steel Co. of Hamilton—Dofasco—announced a major expansion of its plant in Hamilton itself. The members from the Lake Erie area may recall that Dofasco has a large site at Port Burwell, some 50 or 75 miles to the west of Nanticoke, where it considered expanding in the same way that Stelco is expanding. The people in that area, however, indicated quite strongly that they didn't want Dofasco to come in. The government didn't seem very hot on it either, but once again exerted no pressure to try and get this particular plant, the Dofasco expansion, moved into the eastern or northern parts of the province where it could have had substantial spinoff effects. No pressure like that was exerted at all.

I see that the hon. member for Hamilton West (Mr. McNie) is present in the House. I can tell him, Mr. Speaker, that the spinoffs that will be created by the Dofasco expansion are going to create acute urban development problems for the Hamilton area. Hamilton will have too many jobs because of the expansion of 4.5 million tons annually in Dofasco's capacity in the Hamilton area, which is now under way and which is being done with $100 million investment between now and 1977. Dofasco is lost to eastern Ontario.

Algoma is at Sault Ste. Marie and is already in the north and is unlikely to consider a location in the east.

Okay, what else would be a major industry so big and so unwieldy and so difficult to accommodate that it couldn't go into the vicinity of Cornwall, Brockville, Pembroke or Smiths Falls? We've thought of a refinery, but Spencerville is located only 100 miles from the Island of Montreal, which is a major refinery and petrochemical centre. It would seem logical, if the federal government is building a Sarnia-to-Montreal pipeline in order to help make us self-sufficient, that if any refinery expansions take place the oil companies would probably decide to have them take place either at Montreal or else somewhere closer to the source of supply in Alberta.

What about automobiles? Well, to say that is to joke, Mr. Speaker, because I cannot see any serious investment in new automobile plant capacity for the next two, three or five years, until we're over the present situation and until demand has either been restored or else the auto makers have been able to redirect their capacity and get over the current slump within the industry. In other words, there seems to be no realistic large industry which would have to be located at Spencerville and could not go somewhere else.

Next, in eastern Ontario the economy of areas like Cornwall and Brockville is not strong. It's much stronger than it was; it's no longer as weak as it was a few years ago. A new major plant at Spencerville, like a steel plant, will tend to have spinoff effects, but those spinoff effects will tend to take place on the site and not elsewhere.

At Nanticoke, Stelco is building an industrial park. The steel will come hot out of the ovens and be taken straight into the plants that will do things to it while it's still hot; it won't have to cool and reheat. There will be a concentration of steel fabricating industries that will take place right there.

If a steel plant or a refinery and petrochemical plant went into Spencerville, most of the industrial growth would occur right in that area, and the effect on Cornwall or Brockville would be to create a commuter traffic of workers who lived in those communities, but had to drive or take a bus in order to find jobs in Spencerville.

I would challenge the government, if it finds industries of substantial scale, that it commit itself to offer those firms the opportunity of going into Cornwall or Brockville or other communities, and in fact tell those firms that if they want to go into eastern Ontario, Ontario will facilitate their location near Cornwall or near Brockville, rather than in this entirely new industrial site. If that commitment is made, I assure the government that those plants will wind up in or near established communities. There is lots of industrial land available in eastern Ontario. It's looking for people to occupy it, and not only at Spencerville.

We are, therefore, faced with a situation, Mr. Speaker, where either the government is going to suck growth away from communities in eastern Ontario, or it does not have the major new thrust in industrial development that Spencerville is billed as having. If it is a major thrust then it is going to suck growth from other communities. If it isn't a major thrust then it is a piece of PR which is costing $5 million or more, which will cost us half a million dollars a year in interest alone, plus taxes, in order to hold it until the Eighties or the Nineties—and it is a piece of public relations, Mr. Speaker, which I suggest has already backfired for the government and for the Conservative Party in the resentment that it has provoked among municipal people and other people in eastern Ontario.

I have to say that there is particular concern about the suggestion made by the Treasurer (Mr. McKeough) that that land in eastern Ontario at Spencerville might be put under the control of the Eastern Ontario Development Corp. The concern is because the EODC, paltry as its efforts may be, now directs those efforts to locating industries in or near existing communities. If it also owned 10,000 acres that it wanted to develop, the strain and the tension that would be developed—the difficulty the EODC would have in deciding whether to give a plant to Cornwall, say, or to Ottawa, or to Hawkesbury, or Pembroke, or put it in Spencerville, would be intolerable, and no one could really accept the credibility of the EODC when it said, "We are awfully sorry, boys, we had to take

those on for our land at Spencerville." It just wouldn't be credible.

Mr. Speaker, I would suggest that the comments that were made by the Minister of Industry and Tourism that the government would be completely off its nut to put a new industrial complex at Edwardsburgh, were very well taken. I would suggest that a designation of an industrial site and freezing of that site so that it would stay in agriculture for 25 or 30 years for development around the turn of the century, or for development at the time of the next round of major steel industry expansions in the middle to late 1980s, might be a reasonable step to be taken by the government of Ontario. But if that were done it should be done within the context of a provincial plan, and of course that context doesn't exist.

The present form of ad hoc planning is disastrous. It is increasing the resentment and alienation that is already felt in eastern Ontario toward this government. I can tell those members and ministers and civil servants who are trying to help the government, or who may be asked for advice that may be used by the government to help itself, that they are not helping themselves at all; that this is going to backfire and that eastern Ontario in the coming election is going to give the Tories a lesson like they have never had before.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, in joining this budget debate I want to talk about several topics which are of interest to the people of Ontario and in particular to the people of Etobicoke.

Before I get into more serious matters, Mr. Speaker, I would like to pass a few comments on our young assistants who will be leaving us at the end of this session. One of them is a young girl called Heide Schumacher, and she is from Redgrave Dr. in the borough of Etobicoke, in my riding. I am really sorry to see her go.

Since this is women's year, Mr. Speaker, I think it might be appropriate to comment on this question of girl pages very briefly. Back in March of 1966, during the debates on the estimates of the Department of Labour, I suggested the addition of girls as pages. At that time, Mr. Speaker, we had only boys and I recall that night, Mr. Speaker, some of our friends from the government benches just about fell over laughing; they thought it was funny. I have a clipping from the Toronto Daily Star of Wednesday, March 23, 1966, Mr. Speaker—that is some nine years ago—and it says:

> Interest perked up in the Legislature last night when Leonard Braithwaite (L—Etobicoke) suggested the addition of girl pages. He said the girls would not only brighten up the legislature chamber, but could also comfort the Legislature's only woman member, Ada Pritchard.

She was the member for Hamilton Centre who chose not to run again, Mr. Speaker.

I recall that evening, Mr. Speaker. I mentioned that the idea didn't originate with me. Many high school girls and public school girls had asked me why there were no girl pages and I told them that I didn't know. I mentioned it that night during the debate. I think it was just because there had always been boys. Once again, that slogan that the federal government is using, "Why not?" comes to mind. The Star article of March 23, 1966, stated there was a mixed reaction among the page-boys. Some said the girls would be silly but others thought they would be keen.

Mr. Speaker, we have had girl pages for some time now and I thought that the House might be interested in the reaction of a young lady who was with us not long ago. Her name is Coleen Egerton. She was from Dixon Grove Senior Public School in the borough of Etobicoke. Her reactions were set out in a composition which she wrote after leaving the Legislature. She called it "The thrill of being a page." I'm not going to read the whole thing but I will read a few paragraphs, Mr. Speaker, to let you know how we look, through the eyes of one of the young girl pages. She starts off:

> Did you ever think of talking to a member of Parliament, a person of great responsibility, who is known by many people and sometimes has his picture in the newspaper? I hadn't until I found a letter waiting at home for me one day saying that I had been chosen to become a page. I realized that this was a great privilege. Think of all the other boys and girls across Ontario who had also sent in applications.
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> When I told my friends, they immediately started asking me questions. The basic requirements are that you are in grade 7 or 8, you have an average of at least 80 per cent in your school work and you can get transportation down to Queen's Park and back home every day. You also need your principal's permission because you miss school for six to eight weeks.

She goes on, and I'm going to skip some of it. I'll start again:

> I was very fortunate to get this job and will be sad when I have to leave. I had a first-hand look at how the laws which govern this province are made and now when I see something in the newspaper about Queen's Park I will understand what is going on. I will also recognize names and faces.
>
> I would like to extend my sincere thanks to Hon. Allan Reuter who made this all possible to Mr. Braithwaite, my member who helped me to get in; to the principal of Dixon Grove Middle School, Mr. McPherson, who allowed me to stay away from school during my term as a page; to Mrs. Hood, the page mistress; the attendants; Mr. Wilkinson, our school teacher; and to the members who were kind and understanding.
>
> This wonderful experience is one I will never forget.

Mr. Speaker, those are the comments of a young girl page who was here, as I said, not long ago.

Now, Mr. Speaker, I wish to turn to the problem centred on Sunday store openings and the whole question of reasonable store hours at the retail level. I have no hesitation in stating that the majority of people in the constituency of Etobicoke are in favour of PUSH, that is, reasonable uniform store hours on a provincial basis. In northern Etobicoke, the fight has been led by the minister of the Rexdale United Church, Rev. Colin Todd; Mr. Dennis Prinhold of Genthorn Ave., an elder of the same church; Rev. Dennis Terry, also of Rexdale; and many other citizens of northern Etobicoke who oppose stores being open on Sunday for major retail selling.

I should add, Mr. Speaker, that I have been in receipt of many communications from citizens throughout the northern part of Etobicoke who have made it clear to me that they are in opposition to wide-open retail Sunday selling. Further, they do not wish to see retail outlets open at all hours. The majority are eagerly looking forward to a return to sane retail practices so that they may once more have the opportunity to enjoy some leisure time during the week, for what advantage is the good life if there is no time to enjoy it.

Mr. Speaker, the borough of Etobicoke recently passed its own tough new bylaw which would impose fines of up to $5,000 on stores that refused to close down on Sunday. It took this action because of the failure of the Provincial Lord's Day Act to stop big stores from selling on Sunday.

Mr. Speaker, the government has had its hearings. Many briefs have been submitted in connection with the green paper on Sunday as a common day of rest and uniform store hours. It is now incumbent on the government to bring forward reasonable legislation consistent with the aims of the Ontario Provincial Uniform Store Hours Association and the wishes of the greater majority of the citizens of Ontario, who would like Sunday to continue to be a day of rest as far as possible.

As you may be aware, Mr. Speaker, the provincial caucus of the Liberal Party recently submitted a brief to the Gibson airport inquiry commission questioning the need for a second Toronto airport in the Pickering area. The brief questioned whether or not all the various alternatives to the proposed airport have been explored. One thing the brief did not suggest was an expansion of existing facilities at Malton. In fact, it specifically opposed any further expansion to Malton Airport.

While our position has been misinterpreted by some, it should be noted that the brief most specifically stated that Toronto's existing airport already contributes enough to community disruption in surrounding areas and if nothing else is done regarding this second airport, we should at least introduce serious noise suppresion programmes and standards to cope with the existing problems at Malton.

I have strong views on the discomfort and noise pollution and air pollution which Malton Airport brings to those who live in its vicinity. My own home is directly under a flight path and I can speak from specific experience of the way houses vibrate, the air reeks of kerosene, and backyard, outdoor conversation is limited to gestures.

Yes, Mr. Speaker, I could take some time and talk about the curfew being ignored night after night while sleep is made impossible by the vibrations of heavily-loaded airplanes taking off at ungodly hours during the night. Yes, the evils of pollution from Malton Airport are legion.

For those reasons, Mr. Speaker, I have in this House spoken on many occasions in opposition to the expansion of Malton Airport and will continue to do so until some relief is afforded the residents of Etobicoke and Mississauga, whose enjoyment of the good life has been so seriously curtailed by the indiscriminate operation of Malton Airport. I am still, and will continue to be, in opposition to any expansion of Malton Airport.

I am opposed to the commission by whatever level of government of anything which might directly or indirectly cause Malton Airport to be expanded. We don't need another Kennedy Airport or O'Hare Airport in the neighbourhood of Etobicoke.

I can assure you, Mr. Speaker, that under no circumstances would I ever condone anything which could bring harm to Etobicoke and which could, in any way, increase the noise and air pollution from which we in Etobicoke suffer.

Until recently, I was not convinced that stopping the Pickering airport would in any way harm Etobicoke. In any event, I could not and would not support any action by Ottawa or by Queen's Park which could cause Malton Airport to be expanded.

In brief, Mr. Speaker, the story at Malton Airport, or Toronto International Airport, as it is known, is as follows:

1. In 1937 Malton Airport was built on 1,400 acres of land.

2. In the 1950s our residential neighbourhoods were built up before the introduction of turbo-jet aircraft.

3. Between 1958 and 1963, Malton Airport was expanded to a total of 4,200 acres. The expansion took place southerly toward existing residential districts. One runway was extended south 1.3 miles. A new east-west runway was built pointing at the heart of Etobicoke.

4. Turbo-jet aircraft were introduced, and 40,000 Etobicoke residents and the entire population of Malton found themselves under heavy jet traffic in noise zones where the Ministry of Transport now recommends either no residential development at all, or residents in sound-proof apartment buildings only. The majority of residents live in single-family houses.

5. In 1968, as many as 110 jets a day thundered over a single neighbourhood. A government report proposed a 75 per cent increase in the airport size and activity.

6. Residents organized to oppose the expansion. Within the year the federal government decided to cancel major expansion at Malton, but announced an interim expansion that included the lengthening of the third runway at Malton to commercial jet capacity.

7. In 1969 area residents met government officials and were given assurances that the expanded runway would be used in a limited manner. They were told the runway was needed to avoid mid-air collisions and to handle increased traffic until the new airport opened in 1976.

8. In 1971 the lengthened runway was put into operation. For the first time, 10,000 residents of northern Etobicoke experienced heavy jet traffic over their homes.

9. Two months after the runway opened, a commitment was given by the federal Minister of Transport that the east end of the runway, 23R, was not to be utilized for approaches by turbo-jet air carrier aircraft except in an emergency. Residents' complaints in the years since suggest that there have been many emergencies.

10. Some equipment was installed to monitor noise in residential districts around the airport. Vandalized in one location, on a school roof, the noise monitoring system is yet to be expanded to the seven locations recommended by the ministry.

11. In 1973 a decision was made to build the second airport.

12. Area residents met government officials again and were told nothing further could be done to keep down the noise, and that the improvements made would be offset by increased traffic.

13. Residents were also told that traffic roads would offset any technical gains that might be made.

14. Next, a commission was appointed to find out if there was new evidence which could affect the decision to build a second airport, and to examine whether Malton Airport should remain as it is.

15. In 1974 the commission held its hearings.

16. In 1975, the commission is reported to have recommended immediate construction of the Pickering airport, and construction of a fourth major runway at Malton.

17. On Feb. 1, 1975, a newspaper headline in the Globe and Mail declared: "Decision on Airport Delayed by Ottawa."

Mr. Speaker, that is the story of Malton Airport to date. In the last few weeks, Mr. Speaker, I have examined carefully the findings—which are available—of the Gibson commission which looked into the whole matter of airports in Ontario and heard submissions from a large and representative group of people from the Metropolitan area. Speaking as an individual, Mr. Speaker, I have come to the conclusion that the facilities at Toronto International Airport at Malton would quickly become saturated if plans for an airport at Pickering were scratched. Therefore I would ask the Minister of Transportation and Communications, the Premier and the government of Ontario to do everything they can to see that the Pickering airport is

proceeded with as quickly as possible. The time for a decision is now.

In any event, I ask this government of Ontario to notify Ottawa to keep its hands off Malton. Malton must not be expanded. My reasoning, Mr. Speaker, is that our own government of Ontario will be providing services for a second airport wherever it is built, and it will certainly seem logical that the recommendations of the Ontario cabinet on the location, apart from the technical considerations of aviation, would have a direct bearing on the location of the new second airport.

The question then arises as to exactly who is responsible for the original airport proposal. The federal government in Ottawa must determine the need for such a facility, and that need has been reassessed and confirmed by the Gibson commission. But the provincial government must be held accountable for its proposed location at Pickering, which I support.

So far, the Tory government at Queen's Park has said little about its involvement in the airport decision. I hope it will soon provide us with a complete statement of its position. A strong government should show leadership in serious matters such as this. The time for waffling is past. The Premier should set out his government's decision for all to see. I personally would like the Premier to join me in pushing for the speedy commencement of the Pickering airport.

I want now, Mr. Speaker, to turn to a matter which is of the greatest importance to the residents of the northern part of Etobicoke. I speak of the desperate need for better transportation facilities, particularly in Rexdale. For those Etobicoke residents who work in Malton, lack of service on the Malton route means that they often have a daily walk of as much as four or five miles. Everyone wants to know why on some days there is only one bus every 36 minutes in rush hour going to and from Malton. It is a common cause for complaint that by the time a bus reaches Martingrove and Dixon it is so full that those waiting, who would like to get to work, cannot get on. At night the problem is reversed. If people can't get on the bus because it is crowded, they may have to walk for miles to get to the Martingrove-Dixon Rd. area. And that is just part of the problem.

We all know that about three years ago this government abruptly cancelled the Spadina Expressway. Many in Rexdale who have their own transportation now find it most difficult to get downtown through northwest Metro because of the detours around Marlee Ave. and so forth. I want to go on record once more as urging the government to go along with Metro Toronto's plan to proceed with the completion of the Spadina Expressway as soon as possible. This will benefit residents of northwest Metro immeasurably. Something must be done with this vacant spot, and it is my hope that the government does not wait until just before the next election to decide that it is going to take some action.

North Rexdale has a series of transportation problems of its own. In spite of this, we were never given an opportunity to show that dial-a-bus could have worked. All that was needed, in my opinion, was testing in a transportation-hungry area like Rexdale. With a little advertising in the Etobicoke Gazette and in the Etobicoke Guardian, dial-a-bus could have succeeded. It is no exaggeration to say that the lack of transportation in the Rexdale area is next to criminal.

I am informed that there are plans for a new separate high school in northern Etobicoke, to be located on Kipling Ave. north of Albion Rd. This will merely serve to magnify the existing transportation problems. I don't know if the members of this House know that one can travel north to south in northern Etobicoke on main arteries such as Islington or Kipling or Martingrove, but there is no way for a person to secure public transportation in an east-west direction through most of north Rexdale. Those who live in Rexdale and must depend on public transportation to get them downtown to their place of employment, often find that tardiness of the buses in the north Rexdale area causes them to be late for work or to miss work altogether,

I call on this government to use its good offices to spur the Toronto Transit Commission to improve transportation facilities in northern Etobicoke. Further, I once more call on the Minister of Transportation and Communications to initiate a dial-a-bus system in northern Etobicoke.

Now, Mr. Speaker, for a few minutes I wish to review the serious difficulties of ensuring an adequate supply of housing for all citizens in Ontario. The housing problem is of prime concern to myself, my party and my constituents. Rapidly escalating shelter costs are taking up a larger and larger portion of family income, and for our less affluent families the situation is critical. We find ourselves today in a situation where families cannot afford to buy their own housing, and rents have become prohibitive. It is going to require the greatest concentration of effort on all our parts if we are going to break

through the barriers that prohibit access to sound housing at reasonable cost.

Recently, the government announced its Housing Action Programme, and I support this programme as far as it goes. The problem is, of course, that it doesn't go very far. Four-fifths of the families of this province have incomes of under $15,000 per year, based on the 1971 census. By the most generous estimate of the total programme, there is little indeed for the vast majority. Then per cent of the additional 12,000 new units will be under the HOME programme. That will increase by 1,200 the 6,000 units that have already been promised. These units will be for families with incomes under $14,500 per year. Another 3,600 units will be allocated to the income group from $14,500 to $20,000. The bulk of the homes-for-sale programme is geared to the affluent—that fact is very clear.

The government place great reliance on the solution to the housing problem being the expension of the total stock of housing; the trickle-down theory. However, in spite of wishful thinking, this just doesn't work. The opposite process is very conspicuous in our larger cities.

The pressure of high housing costs are forcing middle-income families to seek shelter solutions that would have been considered unacceptable just a few years ago. They are moving into the inner city and competing for the scarce housing stock that has, in the past, been available at more moderate cost for the less affluent among us.

As I said before, and it bears repeating, filtering down doesn't work. As a cup of water poured on the top of a mountain does not reach the sea, a few housing units added at the higher income levels does not relieve the problem of the moderate and lower income groups.

We are becoming a city of renters in Metro, a trend contrary to our historical situation. I am concerned about this state of affairs and wonder if its full implication is realized. The 1971 census reveals that in Metro Toronto, 58.4 per cent of dwellings were tenant-occupied, as opposed to 41.6 per cent that were owner-occupied.

Our families are losing the privilege—or is it a right?—to build up equity in housing. For as long as any of us can remember, housing equity for most families has been their major investment.

Mr. Speaker, another area of major concern to me is the desperate situation faced by low-income families. I know that my borough has been accused of not responding to the great need for public rent-geared-to-income housing. I feel forced to observe, however, that if modifications to the public housing programme had been made five years ago, when organized resistance to these projects became apparent, we would not be in the situation we are in today. Public housing programmes are largely discredited for a variety of reasons that have been well documented, and do not need repeating. It seems to me that unless a new approach is found for this housing, it will remain unacceptable to most communities and neighborhoods.

Mr. Speaker, there has been much talk about the apparent reluctance of Etobicoke to accept Ontario Housing Corp. projects. This may or may not be true for the borough of Etobicoke as a whole. However, I would like to bring to the attention of the House the fact that 88 per cent of the OHC units located in the borough of Etobicoke are located in the riding of Etobicoke, which is the northerly portion of Etobicoke lying above Eglinton Ave. In fact, about 10 to 12 per cent of all the people living north of Eglinton Ave. in Etobicoke—who live in the riding of Etobicoke—are OHC residents.

Can you, Mr. Speaker, honestly blame the homeowners of North Rexdale for objecting to even more OHC rental housing? Does it not seem fair that any additional housing of this sort should be spread into other parts of the borough of Etobicoke, or into the open areas which surround Metro?

Before going into facts and figures, I would like to bring to the attention of the House a letter written by a Rexdale resident to the Toronto Star. It was published last year in the column "Voice of the People." The heading is Low-Income Housing Needs Study First. The letter states as follows:

To the Editor of the Star:

Since 1959 underprivileged Toronto families have found their way to the low-rental housing of northern Etobicoke. The Conservative regimes at Queen's Park were so enamoured with the Rexdale area that they followed up the original Bergamot project with Braeburn Woods, Jamestown, and currently, a massive condominium complex on Islington Ave.

There were no professional youth counsellors or full-time recreational co-ordinators to provide the adolescents with a satisfactory alternative to the activities of boredom—vandalism and drug use. Today, northern Etobicoke has the highest incidence of juvenile offences in Metropolitan Toronto.

An editorial writer for the Star wrote on May 3, under the heading "Ghetto Mentality in Etobicoke," that there is a "ghetto mentality" prevalent among some municipal officials.

Now, Mr. Speaker, the letter continues:

> This is certainly not a palatable state of affairs for proponents of Toronto's convention city image, but will be the result if you railroad further OHC units into the suburbs without assessing the long-term effects upon the future tenants and their already troubled neighbourhood.

And the letter ends, Mr. Speaker.

I have quoted some facts and figures concerning OHC units. For the record, I would now like to give the location of the public housing projects in the riding of Etobicoke. There are three headings: location, density, and number of units:

Shendale Dr., medium density, 34 units; Bergamot Ave., medium density, 112 units; Mount Olive Dr., medium density, 158 units; Lightwood Dr., low density, 56 units; Martingrove/Albion Rd., medium density, 38 units; Silverstone Dr., high density, 92 units; Tandridge Cr., medium density, 108 units; Tandridge Cr., high density, 221 units; Jamestown Cr., medium density, 309 units; Finch Ave., medium density, 245 units; Torbolton Dr., medium density, 17 units; Islington-St. Andrews, high density, 324 units; Willowridge-Eglinton, high density, 238 units; Dixinton Cr., medium density, 36 units; Scarlettwood cr., medimum density, 150 units; making a total of 2,138 units.

Therefore, Mr. Speaker, there are some 2,138 OHC-administered housing units in the riding of Etobicoke. In order to get the percentages which I have already given to the House, I took into account the fact that approximately 92,400 people are living in Etobicoke north of Eglinton Ave.—that is in the riding of Etobicoke. As a further consideration, I took as an estimate the fact that about five persons live in each Ontario Housing unit.

So it can be seen, Mr. Speaker, that the residents of northern Etobicoke do have just cause for objection to the location of additional Ontario Housing units in their midst, since it is a fact that publicly supported rental housing, such as OHC projects, often collect families who have social and economic problems of one type or another. Concentrating many OHC projects into one small area tends to magnify and multiply the problems that exist. It would be preferable to spread these projects so that no particular area becomes "ghetto-ized."

Not only residents adjoining OHC projects want to be consulted as to further projects. The Etobicoke Board of Education also wants OHC to consult with school boards before establishing large-scale housing projects. In a brief to the advisory task force on housing policies recently, the board said that schools with a high percentage of children from public housing projects need special help to deal with their emotional problems. The board has found that schools with a large majority of these students have more behavioural and learning difficulties than schools in private housing areas.

The board said the cost per pupil per year to provide the full range of special programmes required by such children is about $6,000. The brief stated the board supports public housing, but asked for extra provincial assistance to schools near OHC projects. One of the things they could do with this extra money is to hire professional people to deal with any emotional and learning problems that students might develop.

Mr. Speaker, I ask, has the housing corporation considered the idea of long-term purchase agreements for a certain percentage, possibly 25 per cent of the units? These programmes are in place in some provinces and appear to be working well. The tenant would have the right of purchase after five years residence in the project, and resale would be limited, possibly restricted, to the public agency involved. This device would change tenants' perceptions of themselves upon entering public housing, and would change the neighbourhood's attitude toward this type of housing.

Housing equity buildup should not be denied to that very section of the population who need it most. A subsidiary benefit would be a stable population with a feeling of pride and responsibility toward their housing.

More flexible tenure arrangements in public housing, combined with modifications in smaller projects with sufficient recreational facilities, would result in housing acceptable to all. May I assure you, Mr. Speaker, that my borough and I will co-operate with enthusiasm in the public housing programme of this province if we could be convinced that additional public housing would not result in overly large concentrations of highly visible and identifiable projects, as is the case in my riding.

The recent amendments to the National Housing Act encourage the development of financial arrangements are generous and non-profit and co-operative housing. They

should go a long way to encouraging this housing form. The non-profit housing programme has the distinct advantage of separating non-profit housing from the pressures of the housing market. Rents should rise only in response to increased taxes or maintenance costs. In addition, the residents would have the advantage of security of tenure and a say in management policies.

Mr. Speaker, I should also like to propose to the minister that he take advantage of the opporunity that the new legislation offers and explore the possibility of developing an experimental housing development in Etobicoke. What I should like to suggest is that the ministry initiate, in concert with the residents, a non-profit, co-operative housing project in one of the public housing projects.

What I have in mind is selecting a building or a group of rowhouses and working with the residents to develop a proposal to convert the housing to a co-operative project and submitting the proposal to Central Mortgage and Housing Corp. for funding through the National ousing Act. Let us, working with the tenants, discover if it is feasible to convert some units of public housing to this form of tenure. The present rigid-tenure arrangements of Ontario Housing Corp. units cause families to feel locked in, with no chance to participate in planning for their own futures.

I am disappointed that the rent supplement programme is not more extensively available to needy families. It is in this area that a more strenuous effort is required. I understand the problems the minister is experiencing with the integrated housing programme, and I sympathize with him in this difficulty. However, I do feel that a much more concentrated effort is required to get the builders and developers to participate in this worthwhile programme.

Mr. Speaker, others who have taken part in this debate have spoken about the hard-pressed tenants, and I too feel that some relief must be found for those who are in the private market and must rent. Rent levels are increasing at an alarming rate. I support the concept of landlord and tenant review boards that would have the power to roll back rents where the need for the increase was not proven. The rental review boards could be petitioned by tenant or landlord to settle the disputes that inevitably arise. These boards should be mandatory and have the power to subpoena witnesses and documents. I believe that the landlord and tenant boards are a more realistic solution than rent controls. They work in Quebec, and I don't see why they wouldn't work here in Ontario.

Mr. Speaker, I hope that these few comments will be of assistance to the minister, and I urge him in the strongest possible terms to get on with the job to ensure that all our families are enabled to enjoy adequate or better than adequate housing at prices they can afford.

Turning to the area of environmental protection, previous speakers have commented on the waste that is associated with throw-away pop containers. Throw-away bottles and cans cause much waste and litter. I won't go into detail, Mr. Speaker, but I would like to see the government ban the use of throw-away bottles and cans. Action should be taken in this area as soon as possible, and not just before the next election. The government could go into some sort of a staggered programme to bring in the ban over a period of time so that the dislocation to the economy and to jobs would be kept at a minimum.

Turning to the field of education, Mr. Speaker, I am informed that in many high schools drug abuse education is given to the students. However, I am also informed that most students have no idea of the effect that a drug conviction could have on their plans for the future. In medicine, nursing, pharmacy and law at the University of Toronto, I am informed that students are not screened for criminal records at the time of their entry into their courses. However, before they receive a licence to practise, or whatever is required to go into their profession, they are.

Mr. Speaker, a young person who may simply have been on a lark could possibly be refused admission to the profession or vocation of his choice. They might not find out about this door being closed until it was too late and they had completed their courses. I submit there should be a set of rules that young people could be made aware of during their high school years or in the early part of their higher education. Our young people, as I said, might not be aware of the effect which such a conviction could have on their whole future.

I would call on the Minister of Education (Mr. Wells), therefore, to review the drug abuse education programme in our high school so that our young people could be made aware of the adverse effect which a drug conviction could have on their choice of vocation after graduation. The government could look into the case, say, of an airplane pilot or any vocation which any young per-

son would want to go into after coming out of high school or university. The requirements of these various professions or vocations could be made known to the high school and university students, Mr. Speaker.

Now a word about our senior citizens. It has always been my feeling that in preparing its budget, the government should consider the fact that most senior citizens are barely getting by financially. It should, in my opinion, assist those senior citizens who own their own homes and/or who pay property taxes. In the twilight of their years, they should be exempted from the educational portion of their tax bill, particularly in cases where their income is so low they are finding it difficult to hold on to their homes because of the ever-increasing rise in property taxes, much of which is going to pay for the cost of educating our young people. There is nothing which would prevent the provincial government from providing the various municipalities with a subsidy to take care of any loss in property taxes which such a programme might cause.

In closing, Mr. Speaker, I want to bring some particular cases to the attention of the House. They concern ordinary common people and the way they have been treated by the machinery that makes up our government, a government that has become so large and so detached from the individual voter that people are seething in cold fury at the high-handed ways in which they are being treated. The first case is that of Mike Acri of 36 Griggsden Ave., Weston, Ont. The second case concerns a Mr. Ilija Brkovitch of 58 Waterton Rd., Apt. 505, Weston, Ont. The third concerns the discharge of dying old people from hospitals and the refusal of hospitals to admit dying old people. The last, Mr. Speaker, concerns a present employee of this government.

Turning to Mr. Acri, on Aug. 2, 1974, I'm told Mr. Acri was informed by a letter from the Ministry of Government Services that he was reclassified—I suppose it would be better to say demoted—from maintenance mechanic 2 to maintenance mechanic 1, effective Dec. 1, 1973, and that his salary would remain at its present level of $173 per week until it is surpassed by the maximum rate from maintenance mechanic I, which is presently $146.40 per week. He submitted a grievance to the Public Service Grievance Board. Because of his reclassification, he was informed that as of Sept. 26 he was not to supervise a helper nor was he to remove or install lamp ballasts. Records for tubes and bulbs were to be kept by his foreman and no longer by him. He was advised that carrying out electrical work, such as installing or removing ballasts, must be done by a qualified electrician.

During the week of Jan. 20, I noticed an advertisement for electricians published by the Ontario government public service for the Ministry of Government Services. The pay rate was shown as $6.16 to $6.38 per hour. The qualifications are Ministry of Colleges and Universities construction and maintenance electrician's certificate, a good knowledge of electrical services, systems and codes. The duties are carrying out inspection, repair, replacement, preventative and general maintenance for electrification services in government buildings in Queen's Park.

It seems strange, Mr. Speaker, that Mr. Acri would be demoted while at the same time we find ads in the paper looking for people who are graduates of community colleges at $6.16 to $6.38 an hour, when the man who could do the job and was doing the job is demoted and, I suppose, invited to quit.

The second case, Mr. Speaker, is of Mr. Ilitja Brkovitch of 58 Waterton Rd., Apt. 505, Weston, Ont. Mr. Brkovitch is 61 years of age. He is married, with one son living at home and attending university at the time Mr. Brkovitch contacted me seeking financial assistance. Mr. Brkovitch has had Parkinson's disease for the past 18 years. He is unable to work and his speech is badly impaired. He requires drugs and this is an added expense.

Community and Social Services was contacted on Sept. 14, after Mr. Brkovitch contacted me. Since that time, we have made a number of calls to community and social services and have written to the minister on two occasions to see if we could not get some sort of allowance for Mr. Brkovitch. He is disqualified for assistance because his wife works and makes a salary of $114.24 a week.

The only suggestion of help to Mr. Brkovitch is that he apply to the municipality for assistance with his drug costs. Our last communication from Community and Social Services was on Jan. 10, 1974, in the form of a letter from Miss Crittenden, in which she advises that perhaps the local municipality could be approached to assist with drug costs. There appears to be no hope of getting this man even a small allowance.

I don't blame Miss Crittenden. She is merely applying the regulations as they are and she's certainly doing a very good job. The situation, therefore, is this. This man who is ill and unable to work is entitled to no assistance whatsoever. He is totally de-

pendent on his wife, even though he's a veteran of World War II and no longer young. Because he does not fit into a certain slot in our system of social services, he is judged to be ineligible for even a small allowance to meet his daily, personal needs.

In four years, I believe, he will be eligible for the maximum old age benefits. Surely in the interval we in Ontario should be prepared to assist people like Mr. Brkovitch and others who may find themselves in this particular situation. As I said, Mr. Speaker, the rigid rules and regulations which this government has, make it difficult for people such as Mr. Brkovitch. I feel that if the government were listening to the people, cases such as we find with Mr. Brkovitch would not be allowed to persist. Some way could certainly be found.

I know that when the government desires to retire or demote or replace a high senior civil servant, his pay is never reduced. Some arrangement which is quite cushy is always found and he goes off into the sunset well set financially. However, it appears that if a person is a working person and is not among the financial elite, then rigid and strict rules apply and no one cares whether or not the individual is suffering.

As I said, I don't blame people like Miss Crittenden and the other people who must enforce the regulations. I blame this government because it does not realize that regulations and laws are made to be bent, and a vertain degree of discretion should be given to the people who have to apply them.

Now Mr. Speaker, I want to turn to the question of the discharge of old people who are dying from hospitals, and the refusal of some of these hospitals to admit people who are dying and who happen to be senior citizens.

The first case brought to my attention was that of an 82-year-old woman who was admitted to the York-Finch General Hospital on July 9, 1974. On being admitted she was put into intensive care. This woman improved somewhat; about Aug. 15 she was able to converse a bit, and her daughter came to the hospital and fed her lunch and dinner and she appeared to be gaining strength. On that date, pressure was brought to bear on the daughter to remove her mother from the hospital with the threat that if she did not do so the doctor in charge of the hospital might send the mother home to the daughter, who—because of health reasons as well as the obvious need for hospital facilities for her mother—was frightened that such action might in fact be taken.

Every effort was made by the daughter to find a nursing home or chronic-hospital bed for her mother. She telephoned my office and we were in touch with the medical and nursing branch of the Ministry of Health, and advised the daughter to contact them also to see if they could give her some support in either assuring that the hospital would not send her mother home, or ensuring that the hospital would keep her until a suitable and smooth transfer could be made to another nursing facility.

The upshot was that the daughter in desperation and fear, finally found a private nursing home which agreed to take her mother. At 4.15 on Aug. 22 the transfer was made by ambulance. The patient was returned to the hospital by ambulance at 8 p.m., was given medication by the doctor in emergency, and was taken by ambulance from the York-Finch Hospital to the Toronto General Hospital at about midnight of the same day. She was unconscious when she reached the hospital and died there on Aug. 27 at 9:40 p.m.

It would take some time to describe the sequence of events, the hardship to the patient and her family, and the callous attitude of the family doctor, the doctor who signed the discharge papers at York-Finch without examining the patient, and of the so-called discharge planning nurse and home-care advisor of the hospital. All of this shuttling about took place during the recent TTC strike, and in the hottest weather of the year.

On Oct. 29, 1974, I wrote to the Minister of Health (Mr. Miller) after receiving a letter from the daughter of the deceased. I sent a copy of my letter to the minister, to Mr. Dawson of the College of Physicians and Surgeons, both of whom acknowledged my letter. However, as of this date, I have not been advised as to what concrete action has been taken concerning this gross lack of concern for the health and life of this 82-year-old woman.

The second case I want to bring to the attention of this House, Mr. Speaker, is that on Nov. 28, 1974 another such case was brought to my attention. I quote from the information given to me:

> On Oct. 27, 1974, at approximately 9 p.m. my wife told me she was very sick. I telephoned emergency for an ambulance to Etobicoke General Hospital. At the hospital my wife told me a nurse checked her blood pressure. The doctor came to see her after about half an hour. After approximately 15 minutes the doctor told me to take my wife home. I objected; but he said to get a taxi so I did.

> We went to bed and I woke at about 2.30 a.m. I realized she was unconscious. I phoned the emergency number 361-1111 and told them my wife was unconscious. Two police officers and one man come and after a few minutes I realized my wife was dead. This was about 3 a.m. Oct. 28, 1974.

Mr. Speaker, the writer is a very senior citizen who resides in the senior citizens' complex in my riding. How very sad for him that his wife of many, many years should die in this way, and that he should be forced to call the police in the middle of the night in an effort to get some attention for her.

As I have said, I have once again written to the minister and to the College of Physicians and Surgeons. The persons who brought these matters to my attention, Mr. Speaker, did so not to be vindictive, but with the hope that by relating their stories they might assist in correcting this callous disregard for our old people.

Now the last case that I want to talk about, Mr. Speaker, is the case of Mr. Roderick J. Chisholm of 79 Brampton Rd., Weston, Ont. These are the facts of Mr. Chisholm's case, Mr. Speaker.

He was a tradesman, an electrician, a casual employee with the Ministry of Government Services for 23 years. He was paid at union rates, almost double the pay that civil service electricians receive.

One wonders why a person, Mr. Speaker, and he is just one of many, would be kept on for 23 years as casual employee by this government. This matter has been brought up in this House before, Mr. Speaker, and one can only assume that since these were working people, this government didn't care what they were doing and why.

Now in 1971, Mr. Speaker, the government decided that union electricians would have to join the civil service and be paid at civil service rates or resign. Now because he was to retire in three years, Mr. Chisholm joined the civil service to qualify for a pension, he had to pay into the fund a lump sum payment, the contributions being at his salary level during those 23 years. He retired in March, 1974, at which time the regulations stated that pensions would be calculated on the basis of the last five years of service. He had actually been a contributor to the pension plan for only 35 months, and originally his pension was based on the 35-month period. But the board reconsidered, and in fairness to Mr. Chisholm, also took into account the 25 months immediately prior to the 35-month period, and assessed him on civil service rates for that period, giving him a refund of about $1,900 on his lump sum payment. He calculated that he should have received something like $5,000 or $6,000 back as a refund.

Though retired, Mr. Chisholm was rehired for two three-month periods as casual staff, and was not a contributor to the pension fund. When amendments to the superannuation legislation were passed in June, 1974, they did not apply to Mr. Chisholm because he was not associated with the plan.

One amendment changed the basis for calculating pensions from the last five years to the best five years. If this had applied to Mr. Chisholm, he could have claimed a pension on the basis of his union rates.

Now we were told, Mr. Speaker, that Mr. Chisholm's case has been before the superannuation board several times and that the board used all the discretionary power it has to give him the benefit of any possible leniency when they gave him the refund of a portion of the money he had paid in. And this is under strict interpretation of the regulations; it was not incumbent upon the board to do so.

Now we are also told Mr. Speaker, that Mr. Chisholm had met with senior officials of the superannuation commission and the board's position had been explained. Arrangements were made for him to meet the Minister of Government Services (Mr. Snow) and Mr. Chisholm had a chance to talk directly with the minister.

Now if Mr. Chisholm cannot get an increased pension, then he wants a further rebate of the lump sum payment—that is the difference between the assessment at union rates and the civil service rates.

The position of the board is that they cannot go back and assess Mr. Chisholm for 23 years' service at civil service rates, when in fact he received union rates. They claim it would be unfair to those tradesmen who had accepted civil service rates over those years because of the security of a civil service position.

Now that's the board's position. The board also says that Mr. Chisholm is in effect asking for a high salary for 23 years and a low pension payment into the fund. Mr. Chisholm says this is not the way he looks at it, and he has gone into long calculations, Mr. Speaker—which would take too long to go into here at this time—to show that he should be receiving, as I said, something like $5,000 or $6,000 back on the lump sum payment he made into the superannuation fund, instead of the $1,900 that he did receive.

I mention this case to indicate to the House that once again, when an individual is poor, without any power and without any political clout, he has the most difficult time getting officials of this government to use their discretion in a way that would be fair.

As I recall, I read this book, "The Power and the Tories" and if you remember, Mr. Speaker, there is a picture on the front of this book showing Mr. Frost passing the crown, whatever the crown is supposed to represent, on to Mr. Robarts and Mr. Robarts is passing it on to the present Premier and the Premier is passing it on John Q. Public, who appears to be blindfolded. In that very book, at length, the writer—I believe it was Mr. Manthorpe—showed the history of the Conservative Party and how it has held on to power all these years.

I won't go into it at length, but as I recall not long ago, a year or two ago, when I was speaking in this House, I mentioned that this government was suffering at that time from a hardening of the arteries. I pointed out something which these cases that I talked about today also indicate, and that is that this government doesn't seem to have any concern whatsoever for the poor and for the helpless of this province. I recall that when the government wished to put in a gentleman by the name of Ward something or other—

Mr. Breithaupt: Cornell.

Mr. Braithwaite: —Cornell, into the position as the government agent in London, very favourable arrangements were made for the incumbent so that he might return to Ontario and live in what one would consider to be a fair way.

But when the poor are put in a situation which forces them either to quit their jobs or give up their jobs, or when they apply to any one of the different departments for something which is their right, it appears that then and only then are the regulations interpreted very strictly by the individuals who are in the various departments. The interpretation is done that way because they themselves are fearful of their jobs and it is my feeling, Mr. Speaker, that this government just doesn't care.

In closing, I want to say that this government has no interest in what the average voter in Ontario thinks. I would say that if the members of this House—those who aren't Liberals—had the opportunity to be at Windsor this past weekend, the individuals who are sitting on that side of the House would have seen why so many people who have been Conservatives all their lives are now turning to the Liberal Party. They would have seen an enthusiasm that I have never seen in my whole life.

Mr. Gaunt: It's just a question of time.

Mr. Braithwaite: They would have seen that the situation has progressed from a question of a hardening of the arteries to a question of the box being ready and this party being in the position to lay this government in the coffin after the next election.

Mr. Gaunt: We have ordered the flowers.

Mr. Braithwaite: Mr. Speaker, I can say this, and I know that the members of my party will agree with me, that there will be no more anointing of a new leader of the Conservatives.

Mr. H. Edighoffer (Perth): By 44 votes.

An hon. member: The Liberals have to keep running the retreads over again.

Mr. Braithwaite: "The Power and the Tories" was a book about Conservatives and their power. The time has come, Mr. Speaker; the people know it. They've read the papers day after day—

An hon. member: Did the member read the three editorials yesterday?

Mr. Gaunt: The best thing that ever happened. Now we know we're winning.

Mr. Speaker: Order, please.

Mr. Braithwaite: I don't have to state the reasons at this time, Mr. Speaker. We all know why. After the next election, Mr. Speaker, this party will be on that side of the House, no matter what type of budget is brought in by this government in the next session.

Mr. Edighoffer: That's right.

Mr. Speaker: The hon. member for York North.

Mr. W. Hodgson (York North): Mr. Speaker, at first I didn't intend to take part in this debate, but after having a meeting with York regional council and the Minister of the Environment (Mr. W. Newman) about what's going to happen in the next two years, I want to take perhaps 10 minutes to bring to the attention of the hon. members and the government, some of the essential services that have got to be provided to look after the increase in population.

First, I would like to congratulate our Speaker for the excellent job he is doing, and to say what a fine man he is to work with.

I would also like to say—and I'm sure every member would agree—that I enjoyed very much working with our former Speaker. To my knowledge, he hasn't been here this session; he must be away enjoying a holiday some place. I'm sure we all join in wishing him the very best of health.

I would also like to congratulate our first lady Clerk Assistant for the way in which she conducts her duties and the dignity she adds to this Legislature.

Mr. W. Ferrier (Cochrane South): Is the member going to support Flora MacDonald for the national leadership?

Mr. W. Hodgson: I wasn't going to mention this, but since the last two speakers of the Liberal Party came down pretty heavy on this side of the House in the hope that they will take over, I'll just say that they've been hoping for a long time.

You know—and I say this in all sincerity—I have been in public life for 25 years, and I've never met a more honest and a more dedicated man than the Premier of this province. The people in 1971 recognized this, and they are going to recognize it again whenever the next election is called. I hate to disappoint the member for Huron-Bruce, but the Premier will still be sitting in that seat after the election.

An hon. member: The member for Huron-Bruce is not going to run again.

Mr. W. Hodgson: But enough of that talk at the present time.

As I say, getting back to the meeting I attended, when we had the debate on redistribution I said that the population of the region of York would expand to 310,000 by the year 1981. At the meeting the other day, I learned that the predicted population for the region of York in the year 2000 is 400,116 people. But something else came up at that particular meeting to further emphasize the urgent need for these services.

OHAP, over and above what has been designated under the Toronto-centred region plan, has housing plans in the Milliken area for about 25,000 population; in the new city in Vaughan for about 40,000; and in the Woodbridge area for another 40,000. Roughly, we are talking about 100,000 people, which will raise the region's population to nearly 400,000 by the year 1981.

In this House some time ago the hon. member for St. George (Mrs. Campbell) criticized the government about the extension of Highway 404. Well, the extension of Highway 404 is essential. Anyone who has to travel from the Don Valley Parkway to Steeles Ave. in the borough of North York at any time of the day, will agree that it is urgent and essential that we have Highway 404 completed to Newmarket as soon as possible to carry the extra population.

Along with the last speaker, I am also in favour of either extending Highway 400 south to the Gardiner, or completing the Spadina Expressway. I will leave to the good judgement of the politicians, the experts, the engineers here in Metropolitan Toronto and our government which one should be completed. For myself, I prefer that Highway 400 be extended.

We have another bad situation up there at the present time which I hope we can correct very soon with new courthouse facilities in the town of Newmarket. At the present time, we have a small provincial court at Richmond Hill. We are operating a provincial court out of the arena in Aurora and we are operating out of the old town hall in Newmarket. If anything should be a landmark and a historical site, it should be. It is so bad in there that they even had to board up certain areas this fall to keep the pigeons out of it. I read in the paper just the other day that they had to put on some shingles to keep the water from running in. It is really a disgrace to have people there. A courthouse should be some place with a little dignity. This place has no dignity. It has served its usefulness as a marketplace in years gone past and as a community hall in the town of Newmarket. The town at that time used to have about 2,500 people. Now it has expanded to 25,000.

With this new influx of population that I am talking about, we must have a separate jurisdiction for justice. At the present time, all our Supreme Court cases have to come to Toronto. We are bringing people down from Lake Simcoe to serve on jury duty for two weeks at a time, which is a great inconvenience for those people. The other thing is we can't carry the cases before the courts so that the administration of justice can be dealt with as quickly as it should be.

Coming along with the administration of justice, we have to have a registry office in the region of York. At the present time, the northern municipalities are served by a registry office at Newmarket. Vaughan, Mark-

ham, Richmond Hill and Stouffville are served by a registry office here in Toronto, which again is a great inconvenience to the people there now and it will become a greater inconvenience as we have this influx of population coming into the region.

But maybe the most important and most urgent need—and I say this sincerely—is the need for more nursing home beds within the region. I had an experience late in 1974 where I had to put my own mother of 90 years into a nursing home. I couldn't find a nursing home in the region of York, where she had lived all her life, so we had to take her over to Tullamore Nursing Home in Brampton, which is lovely nursing home—I would say one of the best in Ontario. It is bad for her because she is away from people she has known all her life. She is a lifelong resident of King township in the region of York. It is bad for the family, too. I have to make an 80-mile round trip to visit her. She could be in suitable accommodation in York where a great many of her friends in the community would be going in to visit her. I have found out there are as many as 30, 40 and 50 applications for accommodation in lots of the nursing homes at the present time. This is something that has to be rectified and rectified very quickly.

Then we have another problem up there in regard to disposal sites. There is an environmental board hearing going on at the present time in Stouffville about a site which is on Highway 48, known as York sanitation No. 4 site. There must be some other way of disposing of our garbage rather than in landfill sites. Here so close to Metropolitan Toronto, something has to be done very soon before all the land is taken up with garbage disposal sites. This particular one at Stouffville is unique because it's on top of the Oak Ridges moraine where the recharge system for the water supply for the town of Stouffville, which has a population of 7,000 people, is located.

There has been no technical evidence there is any danger of it getting into the water supply, but technicians have been wrong before; they're only human, the same as we are. That garbage site, piled 45 feet high, has a slight psychological effect on people who know their water supply is somewhere below it. People in that area are really up in arms about it, and I can't blame them a bit. I intended to support them against the extension of York sanitation site No. 4 in the Stouffville area.

Time doesn't permit that we go into all the problems. I try to keep on top of most of them and solve some. I did want to get these four points before the members, in hope that some of the cabinet will take notice of these very urgent things.

Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Speaker, I would like to say a few words on this budget debate. I would like to start off by saying that this government has certainly got itself into a lot of trouble during the period of time I have been in this House.

I would suggest that the secret is finally out. The other night the Treasurer of the province said he had a hunch that northern Ontario was receiving twice as much tax revenue from the consolidated revenue fund as they were contributing. If that is an indication of how the treasury has been working, then I understand why the province is in dire circumstances.

We have been in trouble for some considerable time, and all the economists studying the situation indicate that the Province of Ontario next year is going to be the hot spot in Canada because of our continuing "stagflation", our continuing rise in unemployment and our continuing shortages in goods and materials.

This province is going to be the focus, and I predict there are going to be a lot of people on the sidewalk next summer. I predict there are going to be massive demonstrations here before Queen's Park; even more than we've had in the past year, and Lord knows we've had enough of those already.

About six weeks ago, you will recall Mr. Speaker, we had to barricade ourselves in this legislative assembly because there were 200 of the deprived people of Ontario clawing at the front doors at 9 o'clock in the evening. It took 25 policement to protect us poor souls in here. That is an indication of the growing concern there is out there.

Some of us who have been in the Legislature for many years have lost touch with the real world. We really don't understand, and some people don't even care that inflation is having a severe effect on many of our people.

I don't know whether some of these people who don't take this situation seriously are innocent or whether they're callous. I think their own consciences will have to decide on which side of the fence they are.

There is one particular area of the province which has been feeling the crunch for

many years, and is feeling the crunch more than ever now. That is the part of the province that I come from, northern Ontario.

Northern Ontario has been deprived and neglected throughout the whole 32-year reign of this present Conservative government, even to the extent that last summer we had one Mr. Diebold, a noted Tory from North Bay, bring his tent from North Bay and set it up on the front lawn. He was the chairman of the New Province Committee. Even Mr. Diebold, a dyed-in-the-wool, mossback Tory, is willing to quit right now. He wants to sever with this government. There can be no stronger indication of how the people in northern Ontario feel than to try and analyse why Mr. Diebold came down here for a week and plagued and embarrassed this government in an attempt to get the Premier of this province to hold a plebiscite to determine if the people of northern Ontario would like to separate.

Mr. Gaunt: They are leaving the party in droves.

Mr. Gilbertson: He had about a dozen supporters.

Mr. Germa: I agree that they are leaving the party in droves, and it's pretty—

Mr. Eaton: Does the member support that separation by northern Ontario?

Mr. Germa: It is pretty near time, I think, that the people finally woke up. I think the cause of this long tenure of office was exposed recently, when the member for Rainy River asked for the costs and numbers of PR people that the government has on the payroll. Of course, if it wants to waste $10 million a year on brainwashing the population, certainly it can, for a period of time, extend its life expectancy, but eventually it has to get caught out. I think the member for Rainy River did a service when he showed us just how blatantly this government has been acting in trying to perpetuate its misdeeds by hiring so many PR men to varnish the activities of this party in power. That's been going on for too many years, as far as I'm concerned.

Mr. L. Maeck (Parry Sound): Tell us all the good things it has done.

Mr. Germa: If I were to listen seriously to the member for Algoma I would suspect that he came from another part of the province than I do, in that there are no problems in Algoma whatsoever; he's had his fair share of taxation; everything is hunky-dory there. As long as he gets himself re-elected that seems to be his only concern.

Mr. Eaton: One thing's sure, he will; the member for Sudbury won't.

Mr. Deans: That is a matter of opinion.

Mr. Germa: There are other people who have different views of what is going on in the particular riding that the gentleman was speaking of. The member for Algoma does not have all the wisdom from that particular area. I'd like to read a couple of quotes, Mr. Speaker—

Mr. Deans: In fact, some might even say he doesn't have any.

Mr. Germa: —from the minutes of a committee meeting which was held on Wednesday, May 30, 1973, in Sudbury. It was on regional development, and one of the people there was Mr. B. C. McQuarrie, North Shore Improvement District. I'm sure the member for Algoma knows this gentleman. He spoke about this wonderful riding along the North Shore—wherein the member for Algoma said that there were no problems because he kept getting himself re-elected and, therefore, there couldn't be any problems. I suggest that it was part of the $10 million and the pork barrelling which has been going on for the past 30 years which has been re-electing these people.

Anyway Mr. McQuarrie, the North Shore Improvement District chairman, said:

> During the uranium boom of the mid Fifties the population exploded, resulting in uncontrolled building of shacks and substandard housing. This is true right across northern Ontario. Our housing standards are far beneath those which are expected and would be accepted in the southern part of the province.

One can drive down almost any of our roads and he will see the kind of dwelling which this gentleman was speaking about, which is plaguing the riding that the member for Algoma was speaking about. I would suggest that he would do his people a service if he brought to the attention of this Legislature the living conditions which are prevalent in that area. That's why I feel that I am compelled to speak on behalf of the riding of Algoma, when its member has neglected so much to bring to the attention of this government the deplorable living conditions.

Mr. McQuarrie went on, and I quote:

> Because of the substandard housing, low rents and low taxes, this area has become

a haven for those who are unemployed, on welfare or are otherwise incapable of being hired by the region's biggest employer, the uranium mine.

The member for Algoma didn't tell us anything about that kind of problem going on in his riding. I know the area quite well. It's that strip of misery between Sudbury and Sault Ste. Marie, which has been neglected since the days when the timber barons cleaned it out 30 or 40 years ago. It's been going downhill ever since and this government has not done one single, blessed thing in order to try and retrieve the economy along the North Shore.

Mr. J. E. Stokes (Thunder Bay): Right.

Mr. Germa: I would suggest that one of the simple things which is retarding development on the North Shore is the lack of energy. The Province of Ontario, instead of pumping—

Mr. Gilbertson: That is right. It needs nuclear plants.

Mr. Germa: —hundreds of thousands of dollars into incentive grants, I suggest should put in an infrastructure which would supply that area with some energy. A simple gas line along the North Shore, I suggest, would do a lot to encourage some industrial growth there.

We had the recent situation of Champlain Forest Products in Blind River, which was using the logs from the Blind River area for making plywood veneer. It had to ship the veneer by truck 200 miles to North Bay to get the gluing done, because Blind River doesn't have a natural gas pipeline as a means of supplying an economical heat. North Bay has gas service. I suggest that had there been a gas line in Blind River last summer, Champlain Forest Products would not have gone out of business. It would have saved the jobs of probably 100 men in that particularly devastated area.

Because of the kind of representation the North Shore has been getting, this government has not been made aware of what is going on there.

Mr. Stokes: Did the member for Algoma mention that?

Mr. Germa: I beg the member's pardon?

Mr. Stokes: Did the member for Algoma mention that when he was up on his feet?

Mr. Germa: No, he said everything is hunky-dory. He's going to give us a lump of maple sugar and he solves all the problems when they come. But as long as he gets re-elected—

Mr. Eaton: It will take a lot of sugar to sweeten the disposition of the member for Sudbury.

Mr. Germa: —then there cannot be any problem there whatsoever.

Interjection by an hon. member.

Mr. Germa: He said nothing about the shacks along the highway. He said nothing about the inadequate road system. He said nothing that was of any consequence to this House; nothing which would help the people in this particular riding.

Mr. Gilbertson: I said something about roads.

Mr. Deans: It's only because he doesn't know. I mean, he wouldn't talk about it if he knew; but he doesn't know.

Mr. Germa: Well, Mr. McQuarrie from the North Shore Improvement District knows; and Mr. McQuarrie said "the network of secondary roads in this area is definitely limited." Why didn't our member tell us about that, or talk about that, instead of going around heaping plaudits upon this inadequate government?

Mr. Stokes: Is that another Conservative riding?

Mr. Germa: Certainly, it's a Conservative riding.

Mr. Gilbertson: He is attacking the member for Algoma-Manitoulin (Mr. Lane), but it is not doing one bit of good.

Mr. Speaker: Order please.

Mr. Germa: Mr. McQuarrie went on to say: "Without a limited-access four-line highway and no secondary roads to speak of, development could be drastically curtailed."

So, what he is talking about here is that on the present Highway 17 we have about 180 miles of strip development. We all know the costs of strip development and how inadequate it is to look after our population.

Mr. Stokes: Could that be a lack of planning?

Mr. Germa: It is lack of planning—it's a lack of everything.

Even though the government may want to put in a four-lane highway, Mr. McQuarrie didn't suggest that a four-line highway would

be acceptable, because it would curtail the strip development which they presently rely on. That is about all they have in this area; and will be until the government takes a look at what has been going on there and puts in the necessary infrastructure.

I would also like to talk about another area adjacent to the member for Algoma's riding. The member is quite familiar with Mayor Foucault of Espanola and I would like him to hear just what Mayor Foucault said when he was speaking to this committee on northern development.

Mr. Gilbertson: Is he another member of the NDP?

Mr. Germa: He certainly isn't He is another Tory who is fed up with the Tories, and that's why they are leaving office in the next election.

Mr. Deans: It is all downhill from here. I don't know why they don't all resign and make way for a decent government.

Hon. J. McNie (Minister without Portfolio): The member said that four years ago.

Mr. Germa: Let's hear what Mr. Foucault has to say here.

Mr. Deans: We are going to keep saying it until it happens, no matter how long it takes.

Mr. Maeck: They'll never last that long.

Mr. Germa: Mr. Foucault is the mayor of Espanola.

Mr. Deans: Would the member for Parry Sound care to bet on that? I'll put it in my will.

Mr. Eaton: How much will he put on it?

Mr. Germa: I am quoting Mr. Foucault when the mayor of Espanola was speaking to the committee. I quote:

> I would be very, very receptive to the federal government trying to get into northern Ontario and do something. I will give you an illustration. Maybe I am a little biased, but I do not trust those people at Queen's Park too much—and I have had very good reason for that. I will say that in front of the Premier or anyone. It does bother me.

So here is another Tory who really doesn't trust his own government and is willing to repeat that in front of the Premier. He goes on to say:

> So what the hell is the province doing? Are they trying to help anybody or are they stabbing us in the back? And that is exactly what I am trying to say. I am not talking politics. I am just saying there is something very unhealthy in the area.

Mr. Gilbertson: Why doesn't the member look after his own riding and stop talking about someone else's?

Mr. Germa: The mayor of Espanola considers that the government of this province is stabbing him in the back; he's one of the friends of the government, so think how the enemies of this government feel.

Mr. Gilbertson: Wait until the member's constituents hear this.

Mr. Germa: Mayor Foucault continues: "Now if the federal government came in, I would assume that it would be much more honest with the citizens of the north." That is what I am trying to say. Mayor Foucault does not think this government has been honest with northern Onario, and I can agree with him, because this government certainly hasn't been fair to northern Ontario.

Mr. Gilbertson: Tell us about Sudbury; forget about Algoma-Manitoulin.

Mr. Germa: I have to speak for Algoma-Manitoulin because the member for Algoma neglected to tell the truth when he was standing on his feet. Pouring maple syrup over all these problems year after year doesn't solve the problem; and he has got more problems than he knows.

Mr. Gilbertson: Could the member do anything sweeter than that?

Mr. J. Root (Wellington-Dufferin): He does a lot better than the members opposite.

Mr. Deans: He didn't say he didn't tell the truth. He said he neglected to tell it.

Mr. Eaton: The member for Sudbury goes around passing out his sour pills every day. That's what he does.

Mr. Germa: Mayor Foucault went on to say:

> Freight rates should be equalized throughout northern Ontario or through the province, and this should be given top priority. The freight rate thing should have been equalized a long time ago.

He went on to say:

> The cost of energy products—I am talking about gasoline, oil and maybe hydro—

should be equalized immediately, because if the price of beer can be equalized, surely we have other commodities less frivolous and much more important than can be equalized. This is our feeling.

Everybody laughs when you talk about the beer being the same price. All this great government of Ontario can do is standardize the price of booze, but it can't standardize the price of milk, gasoline or bread.

The people in northern Ontario are paying 10 cents a gallon more for gasoline than the people in the south. We are paying another 10 cents on a loaf of bread and 11 cents more on a quart of milk, and yet this government throws up its hands to say, "We can't do anything about it. We can't interfere in the free market economy because we believe in that principle.

Mr. Stokes: More in sales tax.

Mr. R. S. Smith: They can only do it for beer.

Mr. Germa: Just for beer and booze. You can buy a bottle of beer in Moosonee for the same price you'd buy it in Toronto, but a bottle of milk is double the cost. This government has to stand condemned and defeated on account of its inadequate policies.

Mr. Ferrier: I can promote beer and not milk, that's all.

Mr. Germa: Most of northern Ontario has already been catalogued by the Department of Regional Economic Expansion as a standard incentive region B area. This categorization was made about four years ago when the Sudbury area and the mines were booming. Since that time there have been horrendous layoffs, and I would suggest that the DREE cataloguing should be to a different category which would imply that we are in extremely difficult circumstances in the city of Sudbury.

This was a very interesting meeting, and I would like to convey some of the impressions of various people who attended the meeting from the city of Sudbury. There was much concern about what's going on in the city and in all of northern Ontario, and the people took advantage of it.

I am going to quote Mr. Nick Evanshen. He is the industrial commissioner for the regional municipality of Sudbury. He is another well-known Tory, and yet he has some criticisms of what has been happening—

Mr. Gilbertson: Nothing but Tories up in that area.

Mr. Germa: My area is full of Tories. I am up to my hips in Tories. There's the mayor, the regional chairman—and where did the regional chairman come from? He is a former deputy minister of this government. I think that has been the problem, we have had too many Tories around northern Ontario, and we have got to get them cleaned out of there.

Now, Mr. Evanshen said:

> Canada no longer produces the major share of the world's nickel supply, having dropped from 76 per cent in 1950 to only 44 per cent in 1970. The latest figures indicate that the Sudbury region has experienced a reduction in jobs totalling 8,000 in the past year. As a result, the area's population is constantly fluctuating and a feeling of uncertainty about our future prevails among the business community. The youth of our region are leaving in greater numbers to seek employment elsewhere.

This is precisely what we have had to live with during my entire lifetime in the city of Sudbury – this boom-and-bust economy. When this government lets these multinational corporations come in, maximize profits, build up stockpiles and then lay everybody off, what does the government think happens to a town of 100,000 people when 8,000 primary workers get laid off? If one multiplies that figure by four, as the average family, you find 32,000 people affected. One-third of the population has no means of income any longer. Yet this has been going on and this government sits here on its apathy without doing anything about the problem.

I am a little fed up with the boom-and-bust economy which we have faced in northern Ontario. The government has done nothing to supply us with a steady income. It relies on the natural resources. It rips them out of the north. It takes them down south here and does the manufacturing with them. It does nothing to promote secondary industry.

As for working conditions, even though the job isn't worthwhile having, we have to have it. Working in the mines isn't a good job. People don't go in the mines because they like mining. They go in there because they like to live, they like to eat. Yet this government has not even protected these people from the hazards of the occupation that is creating this wealth that the rest of the country uses.

There were various other people at the meeting. This is a good one coming up now. Mr. Peter Masson—

Mr. Gilbertson: Is he a Tory? What is he?

Mr. Germa: He is from Sudbury and District Chamber of Commerce. Now the member knows what kind of a friend he is of mine and how much he supports my philosophy.

Mr. Eaton: I don't think the member has any friends, has he?

Mr. Germa: Even he has some complaints against this government. Mr. Masson says:

> We already pay more for our gas, our heating oils, our food and other products because of our transportation costs. We feel that if the expressed intention of the government, relating to equality of opportunity, is to be applied equally across the country, that some form of subsidy should be applied or developed, or some philosophy of subsidy should be applied and/or implemented, to operate in an effective and prompt fashion to provide equality of opportunity in our area. We would note, this would provide a stable secondary industry for those people who are interested in investing their lives, money and hopes in our part of Canada.

That's the Sudbury and District Chamber of Commerce—supporters of this government who have turned on it and I cannot blame them for that. All they are asking for is a lifestyle equal to the rest of the Province of Ontario. We have been denied that for these many years, even despite the fact that we have produced wealth in astronomical amounts.

We had another establishment person there who also levelled criticism at the government—Mr. Cecil H. Hewitt, general manager, Northeastern Ontario Regional Development Council. This Northeastern Ontario Regional Development Council is supported partly by provincial funding, and yet even this sort of quasi-civil servant is turning upon the government.

Mr. Ferrier: He ran for the Tories federally once.

Mr. Germa: Did he now?

Mr. R. S. Smith: He works for the government.

Mr. Ferrier: Does he?

Mr. Germa: Mr. Hewitt says and I quote:

> As you know, our region takes in over one-third of the area of the Province of Ontario while our population is only 8.5 per cent. This disappointing differential should bring the development of our region into top priority. The population of southern Ontario is growing rapidly, while in northern Ontario such growth is just a fraction of one per cent per annum. The growth of industry and business in the south is constantly attracting our youth and others.

This is the second person in northern Ontario in a leading position who has cited the fact that our youth, because of lack of opportunity, are forced to leave northern Ontario.

I can say personally that I have two daughters on whom I spent quite a bit of money on education who at the termination of their educational term could find no work in the city of Sudbury. I recommended to them, despite the fact that they wanted to stay in Sudbury, that they get the hell out of the place. I'm sorry I had to tell that to my own two daughters. My own two daughters have left Sudbury for six or seven years now and they are doing well in other parts of the country, one in the Province of Ontario and one in the United States.

This is the kind of thing which is happening to family after family. It is happening to both males and females. The disparity of job opportunities for women up there is worse than it is for men. Most of our extractive industries, be it in the mines or in the woods, are more aligned to the labour that males perform. There is very little opportunity for females, even despite the kind of an education one might be able to get for them.

Mr. Hewitt goes on:

> The latest figures I have show that while 90 per cent of the wood supply comes from northern Ontario, 65 per cent of the labour is done in southern Ontario. It should not be more costly to ship manufactured products from northern Ontario to the eastern and western markets—Montreal, Windsor and so on—than from the Toronto area, and certainly the cost of land, labour and energy is less.

This is a particular problem which we face not only in the woods industry. The resource extraction industry is very capital intensive and it is not labour intensive. If we cut down a tree and ship it to Toronto, it takes one man to cut down the tree, but we can probably employ three men in turning that tree into lumber and into a piece of office furniture. Despite the fact that this simple pro-

cedure could be carried out in northern Ontario, the government has done nothing to see that the raw product is turned into a marketable product in the northern part of the province. This not only applies to lumber. This would apply to iron ore, nickel or copper. This would apply to all of the natural resources which we have been so generous in sending down here.

Mr. Hewitt goes on:

> More than eight million tons of iron ore have been located already in northern Ontario, and it is estimated that there are three times that figure in total.

Mr. Speaker, I could read you what Mr. Hewitt said regarding this government's decision to allow the new steel mill to go into Nanticoke. This is what Mr. Hewitt was talking about. He pointed out that the raw material, the pellets, come from Adams Mine near Kirkland Lake and the Sherman Mine at Timagami. In the case of Dofasco, if the plant had been located on the North Channel between Sault Ste. Marie and Spanish, the ore would have come by boat from Lake Superior and it would have generated some industry on the north shore which we really don't need in the "golden horseshoe" area.

We know that Nanticoke is eventually going to create a population density which is not advantageous to the region. I would suggest there are going to be better than 150,000 people crowded into that area in the next 10-year period. This would have gone a long way toward inducing people to come to the northern part of the province. But, no, the government, with its eye on the Toronto-centred region, determined that the plant would go in at Nanticoke, and the people of northern Ontario would remain as the hewers of wood.

There are a couple of other things I would like to say, Mr. Speaker. One is about the former Treasurer (Mr. White) saying he had a hunch the northern part of the province received twice as much in tax revenue as what it paid. I would like to point out that when we were discussing the estimates of the Ministry of Transportation and Communications we came across an item of $35 million which is used for subsidizing public transit. When we broke this figure down we found that the city of Toronto got $22 million of the $35 million total. So that would tell me that the city of Toronto, which represents one-third of the population, got two-thirds of the subsidy. Now by what stretch of the imagination does the former Treasurer tell me that northenr Ontario gets more than its fair share of taxation?

I have many more things I would like to talk about, Mr. Speaker, but I am going to try to let my friend the member for Nipissing in for a minute.

Mr. Speaker: The hon. member for Nipissing.

Mr. R. S. Smith: Mr. Speaker, I just—

Mr. Deans: Speak quickly!

Mr. R. S. Smith: Oh yes, I know I have to speak quickly; and I haven't got it too well organized.

I just have a few comments I would like to make, Mr. Speaker, so I will be very brief. First of all, I would like to indicate, as the previous speakers this afternoon of course have shown, that northern Ontario is that part of the province that has been ignored by the government. Even in those areas where they do show some concern, it is usually a false concern, in that the programmes they develop, or try to develop, never work out. I would just like to mention three different areas that have been used as propaganda tools by this government over the past three years, and in each case it has really been a disaster.

The first was the instance in which the Premier came to my area in 1973 and announced he was going to cut the cost of living in northern Ontario by reducing the freight rates on the ONR and Star Transfer by 18 per cent. Everybody realized this was kind of waste of time and that obviously the consumer was not going to benefit. Finally, just about a week and a half ago, one of the members of the Ontario Northland Transportation Commission said:

> Although northern freight rates are lower, it should be stressed at this point that the benefits of the situation have not filtered through to the people of the region. Instead, large shippers have been able to save on transportation costs without passing the savings on to the consumer.

In other words, what we said at the time and what almost everybody else said at the time, was that the Premier's approach was to provide larger profits for the corporations that were selling their goods in northern Ontario but not to decrease the cost of living. In fact it is just another programme, or stab in the dark by the Premier, to gain some type of popularity that has failed.

Secondly, we have had going, for three years now, the question of Maple Mountain. I was sorry to see the member who was sitting in the chair as Speaker leave, because

I thought he would certainly agree with me on what I had to say about Maple Mountain—

Mr. Breithaupt: And not be able to comment.

Mr. R. S. Smith: And not be able to comment, yes. However he has left altogether, so I guess I am not going to get any reaction from him.

Mr. Ferrier: He is referring to the member for Timiskaming (Mr. Havrot).

Mr. R. S. Smith: The fact of the matter is that Maple Mountain was a pipe dream—I think first on the part of the former Treasurer, which he then passed on to the Minister of Industry and Tourism—that was then stopped by the Indian band in the area. I think the people of the province owe a vote of thanks to the Indian band for stopping such a ridiculous scheme, which only those two ministers would even consider. But before the Indian band had the opportunity to bring their cautious attitude to bear and stop it, those two ministers had spent over $300,000 on duties. And what did the studies show? That Maple Mountain was at least 15 or 20 years away.

In the meantime the member for the area, the member for Timiskaming, was running around from one end of his district to the other, telling the people that Maple Mountain was going to be the saviour of northern Ontario, it was going to create all kinds of jobs for all kinds of people. What it turned out that Maple Mountain was going to be, according to the studies, was a very posh place for the very rich people in this province to go, where they would spend a minimum of $45 per day for lodgings and food. And, of course, therefore what we were going to have was a government-subsidized Las Vegas, or something like that, for the rich people of this province.

Mr. Ferrier: For the Tories.

Mr. R. S. Smith: Not only did the studies show that the costs were going to be $45 per day, but there was going to have to be heavy government subsidization to keep the thing going. I don't know too many people in my area who can afford $45 a day for room and board for any type of holiday. There may be some in the Ministry of Industry and Tourism's area. Obviously the previous Treasurer can afford that, particularly as a minister, because it's quite likely the government would be paying for it anyway. The point is that the whole concept right from the start was a foolish dream of the then Treasurer which the Minister of Industry and Tourism tried to bring into some type of completion. It was stopped by the Indian band and we in this province owe them a debt of gratitude.

The only problem that we have with this, however, is the fact that the expectations that were built up across that part of the province have not been fulfilled in any other way and there have been no other programmes put into place to take the place of that programme that went down the drain. I should think that the member for Timiskaming must be in political trouble because he put all his eggs in that one basket. As I said before, he spent most of his time running around telling the people in his district that Maple Mountain was going ahead. Now the minister concerned says: "We've stopped everything. There is nothing doing on Maple Mountain." That is what he said in reply to a question that I asked in the House here earlier this year.

The third thing that I would like to deal with, and maybe I could deal with it in this part of my speech before 6 o'clock, has to do with the northeastern Ontario regional development programme, phase 2. Phase 1 was a large report that counted all the hydro poles, all the posts and all this type of thing in northeastern Ontario and told us all the things we had. It didn't tell us what we didn't have, nor did it tell us what solutions or anything like that the government was putting forward to solve any of the problems. In fact, it didn't even point out what the problems were.

Phase 2 was to point out the problems and provide a programme to deal with those problems, based on the input of all the information that was gathered under phase 1. We've been waiting now for a period of 2½ years for the government to come out with phase 2 of the northeastern Ontario development programme. Phase 2 of the programme in northwestern Ontario has been in effect—I think the member for Thunder Bay could correct me—for about two or three years and has proven to be ineffective. But in northeastern Ontario we haven't even got to the point where they've published the book yet. I asked the minister responsible this question last week and I would just like to put this on the record again.

Mr. Speaker, would the minister inform me when the same plan for northeastern Ontario is to be brought forward, since it has been promised since the minister was previously Treasurer some 2½ years ago?

Hon. Mr. McKeough: Mr. Speaker, that's a very good question. I was to have had a meeting at 8:30 this morning to update myself on that particular point. Since we arrived back a little later than we

had anticipated last night, that meeting was cancelled.

I am somewhat perplexed by that. When I left my present portfolio some 2½ years ago, that plan was nearly ready. The problem is, and I say this to the leader—

Then there were some interjections.

Mr. R. F. Nixon: Oh, things went very badly in those years.

Hon. Mr. White: Just cut it out.

He didn't want anybody to find fault with it. The problem here was that it was not my leader who was going to find fault with him. It was the Treasurer who was going to find fault with it because he went on to say:

Hon. Mr. McKeough: I say to my friend, the leader of the New Democratic Party, that some of this provincial planning has been held up for the last couple of years because my successor was so much farther to the right than I am.

He's blaming up the holdup of this whole plan on his predecessor who, we have been told, has been the saviour of this province for the past 2½ years.

Mr. Breithaupt: By himself. He is the only one who said that.

Mr. R. S. Smith: Again, I sat here and I was really dumbfounded by the answer of the Treasurer. I thought I would give him another chance and I'd ask him a supplementary so he could say something nice about his friend, the former Treasurer, but obviously he didn't want that chance, because he didn't bother to answer my supplementary and he got off onto something else altogether. He just left the impression that the former Treasurer, as far as northeastern Ontario and that programme was concerned, had just ignored it completely for 2½ years; and that is exactly what he said.

In other words, the former Treasurer, as far as northeastern Ontario is concerned, had no use for it and did not waste his time on it. So I'd like the people in northeastern Ontario to understand the attitude of that minister toward people in that part of the province.

Mr. Speaker: Will the hon. member have further remarks?

Mr. R. S. Smith moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. McNie moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

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Thursday, February 13, 1975

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m. THURSDAY, FEBRUARY 13, 1975

Prayers.

Mr. Speaker: Statements by the ministry. The Minister of Labour.

AGRICULTURAL WORKERS

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I wish to inform the House of new amendments to the regulations under the Employment Standards Act which will give agricultural workers in the Province of Ontario engaged in the harvesting of fruit, field vegetables and tobacco, protection and benefits in the areas of minimum wage, vacation pay and public holidays with pay. Implementation of these changes will be effected as follows:

Minimum wage: From May 1, 1975, an able-bodied adult engaged in the harvesting of fruit, field vegetables and tobacco under normal harvesting conditions must earn at least the equivalent to the hourly minimum wage of $2.40 per hour. The usual offsetting allowances for room and board will be permitted. Serviced and unserviced houses will be offset at the rate of $40 and $30 per week respectively.

Vacation pay: From May 1, 1975, workers engaged in the harvesting of fruit, field vegetables and tobacco who are employed for more than three months will be covered by the vacation pay provisions of the Employment Standards Act.

Holidays with pay: From May 1, 1975, those workers employed for three months or more will be entitled to holidays with pay on the basis of the following phased introduction; beginning in 1975 and thereafter New Year's Day, Good Friday, Labour Day, Thanksgiving Day and Christmas Day; beginning in 1977 and thereafter Victoria Day and Dominion Day.

These new regulations specify the wage records that must be kept for these agricultural workers, including the name and address of the worker, the hours worked each week, wage rates and actual earnings.

An advisory committee to the Minister of Labour will be formed, composed of representatives of the Ministry of Labour; the Ministry of Agriculture and Food, the agricultural industry and the workers to advise on further changes.

Thank you, Mr. Speaker.

ELECTION EXPENSES

Hon. W. G. Davis (Premier): Mr. Speaker, the government will introduce, today, its bill which will regulate political party financing, election campaign contributions and expenditures. The bill represents the reform—and I would say the substantial reform—of long-standing practices and customs which have governed this area of political activity. When the Act is passed, the people of Ontario can say of it that it is the most progressive and enlightened and toughest legislation of its kind in Canada.

The bill to be introduced today is the result of the direction given to the Ontario commission on the Legislature some two years ago, which called upon the commission to study and make recommendations upon all matters relating to party and campaign financing. Last November, the commission, through you, Mr. Speaker, brought down its third report, which contained a wide range of proposals, nearly all of which will be found incorporated in the bill.

Mr. Speaker, the only specific request made to the commission with respect to these matters was mine, and it was that the commission provide for us a mechanism and procedure which would ensure the full, effective disclosure of political contributions. The commission, in my opinion, has done so; the Act will do so. As a result, Ontario will be the first in Canada—anywhere in Canada—to provide for the effective disclosure of political contributions. There has been a good deal of talk about disclosure, a general acceptance of the principle of disclosure, and some efforts made elsewhere to implement disclosure, but when this bill is passed, Ontario will be the first to have disclosure in fact.

As a result, Ontario will also have—in terms of this issue and related matters—the most open political system in the country, and for

that both the commission and this Legislature may take satisfaction from their achievement.

When the commission's third report was published, general satisfaction was expressed both inside and outside the House with regard to its proposed reforms. The same satisfaction should then be expressed with regard to the bill since, as I have said, it follows closely both the spirit and the letter of the commission's recommendations. Furthermore, as the bill was in the process of preparation and under study by a committee of my colleagues, the commission was continuously consulted so as to ensure the full understanding of its purposes and to obtain the fullest benefit from the commission's long and deliberate study of these matters.

There have been some modifications made to the recommendations in the third report, none of them, I believe, which are of substance; and none of them, to my knowledge, that the commission would view with any concern. We have, however, made one significant and substantive change in the commission's recommendations, and that is with respect to its position on election campaign spending. In that matter, hon. members will recall that the commission recommended against ceilings being imposed on campaign spending at either the constituency level or the provincial level.

Mr. A. J. Roy (Ottawa East): It was a dissenting report.

Hon. Mr. Davis: We have carefully reviewed the commission's arguments on this particular subject. The commission felt it vitally important that Ontario have an Act which was as clear and understandable as possible, an Act all parties could support and an Act whose provisions could be firmly enforced. For good reason, the commission did not believe spending ceilings could be enforced, to any practical degree, because of the difficulty in accountability.

It was the conclusion of myself and my colleagues that spending ceilings could be applied, in an election campaign, and effectively monitored, audited and enforced at both the provincial and constituency levels if the ceilings were placed on certain forms of campaign advertising—specifically, political advertising by parties or candidates in newspapers and magazines, on billboards and on radio and television.

I believe this is both practical and desirable, and I am confident the commission will agree with me. In any event, Mr. Speaker, the bill will provide for campaign spending ceilings in those areas I have indicated which are, in the opinion of most, those areas where campaign spending has been of greatest concern.

For sound and practical reasons, we have not included the printing of pamphlets, handbills and similar materials designed for general circulation and display in the limitations which apply to ceilings; nor have we included the production costs for free-time television and radio. The best reason for not doing so is the reason argued by the commission, which is that the Act that will work best in these complex matters is the Act which is the most practical and workable and subject to the least dispute, arbitrary judgement and misunderstanding.

In any event, my colleagues and I have put in the bill spending ceilings for election campaign advertising in the confidence that these can, in fact, be effectively applied and enforced.

Mr. Speaker, some voices opposite and some outside the House have been somewhat cynical and defensive in their attitude to legislation of this kind. It has been alleged even when this legislation is in place, that my party will be comfortable with it because of the luxury of huge funds it has already at its disposal, so that the next election will result in an orgy of campaign advertising. It has also been suggested that the federal partners of our friends opposite are in the process of creating a multi-million dollar war chest in order to assist the opposition party in its campaign—

Mr. R. F. Nixon (Leader of the Opposition): Who would suggest that? It's the first I've heard about it.

Hon. Mr. Davis: Well, they said it.

Mr. R. G. Eaton (Middlesex South): This one's going to hurt.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. A. Grossman (Provincial Secretary of Resources Development): Members haven't heard the best yet.

Hon. Mr. Davis: In order to assist the Opposition party in its campaign to convince the people of Ontario that they are the only persons of integrity—

Interjections by hon. members.

Hon. Mr. Davis: I have seen, Mr. Speaker, the figure put at $5 million by one of their spokesmen—

Mr. E. R. Good (Waterloo North): Now the Premier is making a political speech.

Hon. Mr. Davis: —who spoke as an admitted aide and strategist to our friends opposite. Mr. Speaker, it will take a lot more than $5 million to convince anyone that integrity is the monopoly of the Leader of the Opposition and his friends.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Davis: In any event, wherever they may choose to spend their $5 million, which is a sum far greater than any this party has spent or will spend or has ever spent to my certain knowledge—

Mr. R. F. Nixon: If the Premier can make it stick.

Hon. Mr. Davis: —it cannot be spent on political campaign advertising when this bill is passed. What is the opposition going to do with all its dough?

Mr. S. Lewis (Scarborough West): On a point of privilege, they could give some of the remainder to us.

Hon. Mr. Davis: Or us. That's a lot of money.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, when this Act is in place, then the proposed commission to regulate and administer the Act will also be in place. Both the Act and the commission will be in place in the next general election, barring totally unforeseen events.

Mr. J. E. Stokes (Thunder Bay): The Premier can speak plainer than that.

Hon. Mr. Davis: I want members to listen carefully, Mr. Speaker—all of us—to the next paragraph.

When the bill is introduced, I would serve notice that those provisions of the Act relating to disclosure and the limitations imposed upon political contributions are in force as of today, Feb. 13, 1975.

Mr. R. F. Nixon: What is the Conservative Party going to do with all its money? It can balance the budget.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I trust hon. members opposite will agree with this and assume a measure of responsibility for its acceptance in their own parties.

Interjections by hon. members.

Mr. R. F. Ruston (Essex-Kent): They've got enough money for the whole campaign now.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, I hope to have their enthusiastic support for this bill.

Interjections by hon. members.

Mr. V. M. Singer: (Downsview): The new comedy hour.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Where's their enthusiasm over there? What happened? Have they lost all their integrity?

Mr. Speaker: Order, please. I recognize the hon. member for Yorkview with a message.

GLAUCOMA TESTS

Mr. F. Young (Yorkview): Mr. Speaker, I have a ministerial statement to make on behalf of the Minister of Health (Mr. Miller) who in your presence asked me to do this particular task.

As already announced, the volunteer service of the York-Finch Hospital, which is situated, of course, in the great riding of Yorkview, is conducting tests out in the west lobby for glaucoma. I might point out that this is the first time, as far as we know, in the history of mankind—and I have heard that sort of thing from the opposite benches from time to time—

Hon. Mr. Davis: Always with truth.

Mr. Stokes: An appropriate ministerial statement.

Mr. Young: Yes, another first for Ontario. This is the first time, as far as we are aware, that this kind of test has been carried out by volunteer workers. The new machine which is being used is a non-contact machine, depending upon a puff of air. Many of the ministers had the test this morning and were delighted with it, to find that they are normal as far as sight is concerned, as far as glaucoma is concerned—

Mr. J. R. Breithaupt (Kitchener): This government is run on a puff of air too.

Mr. P. D. Lawlor (Lakeshore): Terrific for hindsight.

Mr. Young: We might just say that the good-looking young ladies out here are doing this voluntarily and the Minister of Health is delighted, because it adds no burden to his budget. We feel that this can be duplicated right across the province, or across the land, and the service rendered for people without added cost.

Now the whips of each party have agreed they will see that the various members of the parties who have not already had the test will do so, and we hope during the afternoon and evening this will be done.

I might just say this, Mr. Speaker, there has been a slight change. Due to the rumour we might be through here some time today, the young ladies have consented to stay until 9 o'clock tonight and not return tomorrow. So testing will be done today, and anyone who is interested in a test for glaucoma—it's plainless, easy, without any difficulty—the door is here and we invite everyone to undertake that test this afternoon.

Mr. Speaker: Oral questions. The Leader of the Opposition?

PARKWAY BELT

Mr. R. F. Nixon: I would like to put a question to the Premier having to do with the policy on the parkway.

It was reported yesterday that the cabinet, I presume either by order in council or by some other means, has permitted Shell Canada to encroach upon the property set aside for parkway use in the Oakville area. I wonder if the Premier would indicate the significance of this encroachment and whether, in fact, it means there will be other encroachments—and what is the status of his parkway policy in this regard?

Hon. Mr. Davis: Mr. Speaker, I think that question should be properly directed to the Treasurer.

Mr. R. F. Nixon: I would redirect it, Mr. Speaker, to whomever the Premier thinks can answer for him.

Hon. Mr. Davis: They can answer a lot more effectively than the member's people can.

Mr. Roy: Don't all stand up at once, eh?

Mr. Speaker: Order, please.

Hon. W. D. McKeough (Treasurer, Minister of Intergovernmental Affairs): Mr. Speaker, this was a decision taken by cabinet a couple of months ago, and I assume the reason it surfaced on Tuesday was because these matters are gazetted and it apparently must have been gazetted last week. It has been no great secret, however.

Letters went forward from the staff to Shell, I think on Jan. 23. I can only say that there have been, I think, something like 500 applications for variances of one sort or another from the parkway belt; some 50-odd have been granted, and this was one of them. It was approved, and in fact recommended, by the town of Oakville.

Mr. R. F. Nixon: A supplementary: Would the Treasurer not agree that when the debate on the parkway concept was going forward, the indication from the government was that with the dedication of this land—I guess I use the phrase in the American sense rather than the religious sense—these boundaries would be considered practically inviolable, since over the years, let's say the next century, there will undoubtedly be tremendous pressures to put all sorts of things on those properties? What is the justification for the approval of only specific applications, rather than a firm position—that certainly had been expressed by the ministry—that there would be no encroachment?

Hon. Mr. McKeough: Mr. Speaker, I am quite sure that neither my predecessor, nor any one on this side of the House, indicated that something which was brought in as a government policy, which is taking, obviously, and will take some further time to work out in detail, was going to be so cast in stone that nothing could happen during the period that it was going on.

Mr. R. F. Nixon: The government can't reverse it.

Hon. Mr. McKeough: As a matter of fact, as I have said, something like 52 changes have already been made, including single-family houses, including the addition of the office building for Shell, including the test track—all of which we think can be accommodated within the parkway belt criteria and which will stand the test of the public hearings.

Mr. R. F. Nixon: As long as there is parkway left the government can give it away.

Hon. Mr. McKeough: Well, my friend would freeze this province with the heavy hand of a central government so that it couldn't move at all.

Mrs. M. Campbell (St. George): The government froze it.

Hon. Mr. McKeough: The Leader of the Opposition talks about centralists. He is the biggest centralist that ever was. It doesn't matter to him what the own of Oakville thinks.

Mr. R. F. Nixon: Didn't we give the government five years to set that land aside; and isn't the minister using his powers to give it back?

Interjections by hon. members.

Mr. Roy: That's a mistake.

Mr. R. F. Nixon: That's a mistake the government will regret.

Hon. Mr. McKeough: We have moved here, as we have with some 50 other properties and as we will continue to do.

Mr. R. F. Nixon: The minister runs it to suit himself.

Hon. Mr. McKeough: We're not going to grind this province to a halt and we're not going to administer with the kind of iron hand that a central Grit administration would like to see.

Interjections by hon. members.

Mr. Ruston: The campaign has started.

Mr. R. F. Nixon: No, that's it; for the minister's friends.

Hon. Mr. McKeough: We're all for local autonomy, the Grits say; but not today in Oakville.

Interjection by an hon. member.

Mr. R. F. Nixon: That's got nothing to do with it. This is the government's legislation. It hasn't got anything to do with Oakville. It's got to do with the province.

Interjections by hon. members.

An hon. member: It's a Tory grab bag.

Mr. Speaker: Order, please. The member for York Centre has a supplementary.

Hon. Mr. McKeough: It has nothing to do with Oakville? The Leader of the Opposition will regret that statement.

Mr. Singer: That's local Shell autonomy.

Mr. R. F. Nixon: Oh, that's it, eh?

Mr. D. M. Deacon (York Centre): A supplementary: In connection with the approval to Shell, has the government insisted on Shell being prepared to accept the government taking back that land as greenbelt with no compensation for the improvement that Shell has made on it at this time?

An hon. member: What did Ottawa advise them to do?

Hon. Mr. McKeough: I doubt that very much. At the suggestion of the municipality Shell has made modifications to the proposed plans in terms of screening, and it is compatible with the concept.

Mr. Speaker: Are there any further questions?

Mr. Deacon: A further supplementary: In view of the fact that is the basis of other agreements for encroachments why wouldn't that apply to Shell?

Hon. Mr. McKeough: No, it hasn't been the basis of all of them.

Mr. Deacon: Maybe it's just the ones in my riding.

Hon. Mr. McKeough: My friend, the former Treasurer (Mr. White) is unkind enough to point out that we approved one in the member's riding at his request.

Interjections by hon. members.

Mr. Lewis: Sit down.

Interjections by hon. members.

An hon. member: He should sit down while he's losing.

Hon. Mr. Grossman: What a revolting development.

Mr. R. F. Nixon: What a great coup that is.

Mr. Deacon: That's why I asked—

Interjections by hon. members.

Mr. Speaker: Order, please. Is there a further supplementary?

Hon. Mr. Grossman: Glad the member asked that.

Mr. Deacon: Since the terms of the encroachment being approved in my riding was that they had to agree there would be no compensation, I thought the same rule applied to Shell.

Mr. J. A. Renwick (Riverdale): Questions?

Mr. Speaker: Does the member for Ottawa Centre have a supplemnetary?

Mr. M. Cassidy (Ottawa Centre): Yes, Mr. Speaker. As a supplementary, can the minister say that since he is now apparently abandoning the parkway policy instituted by his predecessor, are there any policies of the former Treasurer that the new Treasurer intends to continue with?

Mr. Speaker: That's not really a supplementary to this particular question.

Hon. Mr. McKeough: I'll answer it.

Mr. Lewis: Don't answer it.

Hon. Mr. McKeough: The former Treasurer, the member for Haldimand-Norfolk (Mr. Allan) and this Treasurer are all dedicated to one thing—getting rid of the member for Ottawa Centre as soon as we can.

Interjections by hon. members.

An hon. member: The old guard.

Mr. Speaker: Order, please.

Mr. Cassidy: A lot of the members on that side of the House won't be back.

Hon. Mr. Davis: The member for Ottawa Centre's leader is laughing.

Mr. Renwick: The minister just won the election for the member for Ottawa Centre.

Mr. Cassidy: Come into my riding, then.

Mr. Speaker: Order, please. In view of the great interest in this I will allow one more supplementary. The member for Scarborough West.

Mr. Lewis: It's looks like a spring election is becoming irresistible, doesn't it?

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): The NDP aren't going to mess us up, boy.

An hon. member: We're going to have a nice long summer.

Mr. Lewis: I have one supplementary. What, out of curiosity, has happened to the parkway belt east?

Hon. Mr. McKeough: The parkway belt east follows after the parkway belt west.

Interjections by hon. members.

Mr. Breithaupt: The minister will regret that statement.

Mr. Renwick: And never the twain shall meet.

Hon. Mr. McKeough: I wish my friend had come to Oshawa yesterday—

Mr. Lewis: So do I.

Hon. Mr. Rhodes: So does Dr. Godfrey.

Hon. Mr. McKeough: —because this was a question which was asked on a number of occasions and quite frankly we apologize, for we are away behind as far as the parkway belt east is concerned.

Interjections by hon. members.

Hon. Mr. McKeough: The complexities of dealing with the parkway belt west have pushed the timetable for the parkway belt east somewhat behind.

Mr. D. C. MacDonald (York South): Beyond the next election.

Hon. Mr. McKeough: As we move ahead with the western sections and get into the public hearings, we will be able to devote more time and effort to the parkway belt east.

Mr. Lewis: Well, are all relieved to hear that.

Mr. Cassidy: With every step forward they take two backward steps.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. R. F. Nixon: I have just had one. Right?

Mr. Roy: Right.

Mr. R. F. Nixon: I was the only one participating in that little exchange. I wanted to establish that before you get exercised about it, Mr. Speaker.

Mr. Speaker: I don't need any exercise.

GRAND HOTEL, ORANGEVILLE

Mr. R. F. Nixon: I'd like to put a question to the Minister of Consumer and Commercial Relations.

Since the Liquor Licence Board suspended the licence for the Grand Hotel in Orangeville on the basis they had received special consideration from Molson's, Labatt's and a

company called Park and Tilford, why would the minister not undertake to lay charges against those companies which improperly made those, overtures let's say, to the Grand Hotel? Why should they be the only one to suffer? Or has the minister in fact undertaken to lay charges against them?

Hon. Mr. Handleman: Mr. Speaker, first of all, the Liquor Licence Board authority extends only to the establishment. The Leader of the Opposition may be thinking of the Liquor Control Board of Ontario; they may take some sanctions against the donors of improper gifts and, from my experience, they have in the past. I don't know whether they have in this particular case, but I'll certainly check into it.

Mr. M. Shulman (High Park): Not yet.

Mr. R. F. Nixon: A supplementary: Since there have been a number of cases involving the Ministry of Transportation and Communications and the Ministry of Housing where employees of the government or those receiving bribes have been indicted, charged, tried and punished, why would the minister and his colleagues not think that it is just as imperative that the policy of this government descend upon those who offer the bribe in the first place? Why should there be any difference there?

Mr. Breithaupt: It is more blessed to give than it is to receive.

Hon. Mr. Handleman: I can't speak for my colleagues in the exercise of their responsibilities. I have just told the hon. member that in fact the Liquor Control Board of Ontario has imposed sanctions in the past on people who are under their jurisdiction—

Mr. Shulman: Why don't they this time then?

Hon. Mr. Handleman: —who have acted improperly, whether by violation of a directive on advertising or otherwise, and that will continue to be done.

Mr. I. Deans (Wentworth): What is the minister going to do about this one?

Hon. Mr. Handleman: In this particular case I would have to check the details before I could reply specifically as to whether any action has been taken or if any is contemplated.

Mr. R. F. Nixon: It should be automatic.

Mr. Shulman: A supplementary: In view of the circumstances, which have been fully explained, will the minister personally order his board to take action?

Hon. Mr. Handleman: Mr. Speaker, I don't have the details of the situation. Until I have taken a look at them I will not make any such commitment.

Mr. Roy: Go and join their computer.

CATHOLIC CHILDREN'S AID SOCIETY

Mr. R. F. Nixon: Mr. Speaker: I'd like to ask a question of the Minister of Community and Social Services.

Is he concerned about the welfare of the children under the care of the Catholic Children's Aid Society of Toronto now that that strike has gone on for four weeks? Can he assure us that the care of the children is going forward properly? And is he prepared to intervene in any way in the negotiations if a settlement is not reached over this weekend, since the employees have offered to accept binding arbitration and this has been rejected by the board?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, I certainly want to assure the Leader of the Opposition that I'm very concerned about the welfare of the children as well as the families and the workers. I met with the representatives of the FOCAS about less than an hour ago and I told them I'd be prepared to meet with them again if necessary.

Mr. R. F. Nixon: A supplementary: I wonder if the minister can indicate something more than concern for the welfare of the children? Will it be necessary to bring in other people to assist in the care? Furthermore, is he prepared to intervene more directly and carefully if settlement isn't achieved this week?

Hon. Mr. Brunelle: Mr. Speaker, I hope that will not be necessary. I don't know if the hon. leader is aware that negotiations were being carried on this morning; the union representatives will be meeting by themselves tomorrow and I told them I would be in all afternoon and would make myself available to them if necessary.

Mr. Lewis: A supplementary: Since the minister must surely understand that the obstacle to settlement is an eight per cent wage offer by the society, which he will recognize is unacceptable to the workers in-

volved, and the society argues that there is insufficient money coming from his ministry, can he not intervene personally to clarify that, since surely he has given the society sufficient money to allow for an offer slightly in excess of eight per cent?

Hon. Mr. Brunelle: Mr. Speaker, again I would like to repeat that I told those with whom I met less than an hour ago that I would be available tomorrow, and that I would do everything I possibly can to try and assist in resolving this issue.

Mr. Speaker: The hon. member for Scarborough West with his question.

Mr. R. S. Smith (Nipissing): One more supplementary?

Mr. Speaker: Supplementary.

Mr. R. S. Smith: Mr. Speaker, is the minister prepared to offer any monetary assistance to the society; if that is the reason they are giving for not being able to meet the latest demands of the employees, which is 16 per cent, against what they have been offered, 12 per cent? The difference is four per cent. If the society indicates they cannot afford that four per cent difference, is the ministry prepared to offer any monetary help?

Hon. Mr. Brunelle: Mr. Speaker, as the hon. member knows, we pay on a percentage basis. We pay about 70 per cent of the budget to the children's aid societies; the remaining 30 per cent is paid by the local municipalities. As I indicated earlier, I am prepared to meet again if the matter is not resolved with the associations tomorrow.

Mr. Speaker: The hon. member for Sarborough West.

ELECTION EXPENSES

Mr. Lewis: Mr. Speaker, a question of the Premier: Since the Election Financing Bill which is to be introduced today is based on the Camp commission recommendations, which all of us have seen at some length and thought about, and since the only substantial change meets the requests of the opposition parties, would he consider—eliminating any possibility of totally unforeseen circumstances—asking this House for unanimous consent and allowing us to proceed with the passage of that bill today and perhaps tomorrow morning?

Hon. Mr. Davis: Mr. Speaker, I am somewhat familiar with the contents of the bill. I think, in fairness to all of the members, there are some fairly complex and practical things that I think all members on both sides might like to assess and see whether or not any improvements could be made—I'm not saying there would be, or should be; not in terms of principle. However, we felt there was merit in having this available for a period of time for people, perhaps even in the associations, because the associations locally became more involved in the financial aspect than has been the case in the past. My main concern is that the principles exist, and that the limitations and the contributions start as of today.

I think there is some merit in everybody having a chance to look at it to see if any improvements could be made in some of the practical parts of it.

Mr. R. F. Nixon: Supplementary, Mr. Speaker; which, with your permission, is not directly on the subject: Can the Premier report to the House on the status of the activities of the Redistribution Commission which is of similar importance?

Mr. Shulman: It is not a supplementary.

Hon. Mr. Davis: Mr. Speaker, I agree, for once, with the member for High Park. I am not sure that it is supplementary but—

Mr. Shulman: How can he ask supplementaries that aren't supplementaries and no one else can?

Mr. Breithaupt: Life is often unfair.

Hon. Mr. Davis: I think I made some reference to it ; that report, under the rules, is in the hands of the commission. I forget exactly what the time limit is.

Mr. MacDonald: Thirty days.

Hon. Mr. Davis: The commission, in 30 days, has to report back to the House. I would think that we would probably have it very shortly after we reconvene in March. I can't speak for the commission.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Supplementary: Since we are likely to be asked some questions on the bill immediately after question period, could the Premier take a moment to reveal what the limitations are in the various media categories?

Hon. Mr. Davis: There are a lot of limitations in the bill. The amount, in total, that

can be spent on media—and this is, as I recall it, defined in the Broadcast Act—I think it is 25 cents per name on a province-wide basis, as far as the amount the provincial party can spend, and 25 cents per name within a constituency. I can't give the hon. member any estimates as to the totals; however if he had a constituency, say, of 40,000 voters, this would mean that in terms of newspapers, television, radio, billboards, and whatever is defined media, he is talking about an upper ceiling, which can be audited and identified, of $10,000.

Mr. Speaker: Any further questions? The member for Scarborough West.

Mr. Lewis: And $1 million or so province-wide, I take it? One million dollars plus, province-wide? The Premier feels that is a serious spending ceiling, in conjunction with the riding expenditures? I see: okay.

Hon. Mr. Davis: Well, I tell the member it is so far from the $5 million these people opposite want to spend—

Mr. MacDonald: How about the $7 million the government has in the bank?

PORT ROBINSON BRIDGE

Mr. Lewis: A question, if I may, of the Minister of Transportation and Communications: What prompted him to sign, jointly with Jean Marchand, on Feb. 7 last, I think, the communique which indicated that the Port Robinson bridge would not be rebuilt? On what information did the Province of Ontario enter into that controversy? What recommendaion, if any, did the minister make to the federal government? What report, if any, does he have?

Hon. Mr. Rhodes: Mr. Speaker, first of all, I did have discussions with Mr. Marchand in meetings that I held with him in Ottawa on other matters, and this particular subject was discussed. I would point out to the hon. member that the province, and my ministry in particular, has no involvement whatsoever in the provision of the bridge in that particular area. The bridge—and any other crossing at that particular spot—was provided by and was to be replaced by the St. Lawrence Seaway Authority.

In discussions with Mr. Marchand, we dealt primarily with the need for a tunnel. It was determined by both of our ministries that there were higher priorities for any tunnelling to be done. For example, the Port Colborne area has a much higher priority. What we did in that particular release was simply to indicate that neither the federal nor the provincial government placed a high priority on the Port Robinson tunnelling at this particular time and that we were not involved in the provision of a bridge, that that was a responsibility of the St. Lawrence Seaway Authority.

I can say that we have had some discussions on the provision of a ferry service in that area as a temporary means of being of some assistance to the community. In fact, just this morning I signed approval for a bylaw that would allow the corporation to pass this over to the St. Lawrence Seaway Authority to operate.

But we are not involved in the provision of a bridge there. We simply set our priorities on the tunnel.

Mr. Lewis: I want to pursue this for a minute or two, because it is of such immense concern to the area residents.

Since the factual content of Mr. Normandeau's memo to those concerned about whether or not the bridge was necessary, was inaccurate in 16 places, and since we are talking about the destruction of a small community and an area which people are very anxious about, does it not make sense for the province to indicate a willingness to move in on the provision of a bridge, which clearly it could negotiate with the Seaway Authority or with the federal government, since a tunnel, everyone understands, is 10, 15 or 20 years away, during which time everything will have gone down the drain for the people involved?

Hon. Mr. Rhodes: Mr. Speaker, I hesitate very much to try and let the St. Lawrence Seaway Authority off the hook of its own responsibilities. It seems to be a great tendency by various levels of authority, when they get into a difficult situation, to try and dump the thing back into the hands of one of the provincial ministries. It happens continually between the federal government and agencies all over the place.

I don't want to let the St. Lawrence Seaway Authority off the hook. They had inadequate insurance coverage on the boat that knocked the bridge down. Let them wear the horns themselves for their own dilemma. As I say, I have no intention of letting them off the hook on this. Let them meet their responsibilities and we'll meet ours.

Mr. Lewis: I have one last supplementary. As the minister will know, in a vote the regional municipality of Niagara council

unanimously—unanimously, which is almost unprecedented—requested that the bridge be built. I recognize the Seaway Authority's responsibility, but what about the people involved? How is it that we have money to repave Spadina and extend Highway 400 and build the airport, but no money for a small community of people in the peninsula. What is wrong with the social priorities?

Hon. Mr. Rhodes: Mr. Speaker, we will do what we can in order to encourage and to coerce, if I can use that word, the Seaway Authority into doing something. We recognize there is a problem being created. We are willing to co-operate in any way we can for temporary crossing facilities. But I emphasize once again that the Seaway Authority has a responsibility to provide that bridge crossing and it seems to me that it must accept that responsibility. We will do what we can to encourage them to get on with the job and, if necessary, I am pleased to say I have a reasonably good rapport with Mr. Marchand, I'll ask for his assistance as well.

HEALTH AND SAFETY HAZARDS AT ELLIOT LAKE

Mr. Lewis: A question of the Minister of Health, if I may: Is it possible, before he tables the report on the chest x-rays and sputum examinations of the workers at Elliot Lake, to have the medical data scrutinized by Dr. Stewart, the head of the chest division of the Workmen's Compensation Board, since he has already said publicly that he believes that the data which the minister will eventually table will not turn up 100 additional cases because those who looked at the x-rays don't understand what pre-silicotic conditions are all about?

Hon. F. S. Miller (Minister of Health): Well, Mr. Speaker, first, if I am listening to the member's voice properly today, perhaps we should have him in that lineup.

Mrs. Campbell: That fell flat.

Hon. Mr. Miller: Yes, it did. I am sorry. That is the way it is.

I would be glad to talk it over with my staff and see the advantages of doing that and give it consideration.

Mr. Speaker: The Minister of Industry and Tourism has the answer to a question asked previously.

SUN TOOL AND STAMPING CO.

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, on Monday and Tuesday of this week, the member for Windsor-Walkerville (Mr. B. Newman) inquired of us regarding Sun Tool and Stamping (1960) Ltd. of Windsor, relating to the vacation pay due to employees of a firm that is now in receivership.

As I indicated at that time, sir, we had discussions with GAAB, a federal agency, and the Provincial Bank, which is first on the receivership list. As to the funds that were available in retiring its loans and meeting its obligations as far as vacation pay is concerned, for some time we have discussed with them the possibility of meeting the vacation pay as it stands at the moment. This morning we are able to get the agreement of GAAB and the Provincial Bank, along with the Ontario Development Corp., to issue immediately, through the agent representing the bank, the vacation pay cheques to the Sun Tool employees.

Mr. Speaker: The member for Kitchener.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. Breithaupt: I have a question of the Minister of Transportation and Communications, Mr. Speaker, with respect to the inquiry into the dump truck industry by Mr. Rapoport. Is it correct that Mr. Rapoport is on vacation until late in March? If such is the case, how can the minister be assured the report which he had expected within two months will be before the House or before the public within that time period?

Hon. Mr. Rhodes: Mr. Speaker, I regret that I may have misled the House with some of the comment I made on the two months. I did know that Mr. Rapoport was in Florida at the time and I did know that the setting up of the commission would take some period of time. What I had intended to say to the House, in all sincerity, was that from the time that Mr. Rapoport started his inquiry it would take a maximum of two months to have the information before us.

My information is that a secretary to the commission has already been appointed and he will be in Toronto immediately to set up his office space, which is available, and that he will do the preliminary work prior to Mr. Rapoport coming to Toronto. I can point out to the hon. members that the in-

quiry officer has indicated he will devote full time to this inquiry. He will not continue with the law practice he has during this time period.

Mr. Breithaupt: If that is the case, then can one logically expect that it will be some time perhaps in early June that we would be most likely to receive the report?

Hon. Mr. Rhodes: Yes, Mr. Speaker, I will say early June; and hopefully before that, because I understand the gentleman is prepared to come back earlier.

Mr. Deans: How early? When is he coming back?

Hon. Mr. Rhodes: I understand he will be back early in March. The preliminary work will have been done and he will be able to start immediately.

Mr. R. F. Nixon: As soon as the snow has melted.

Hon. Mr. Rhodes: Mr. Speaker, I will have to ask the hon. Leader of the Opposition if he knows for sure; because he called him, I didn't.

Mr. R. F. Nixon: Why didn't the minister call him?

Mr. Singer: Mr. Speaker, by way of supplementary, how can the minister now stand here and explain that he knew Mr. Rapoport was away, in light of the answers he gave to my supplementary questions when this matter was announced? The minister must remember that we wanted to know when it was going to start and when it was likely to end in view of the urgency that the people affected feel is attached to this problem. Surly the minister can do better than that. If he had that information, surely he had a responsibility to tell the House about that. Why didn't he do it?

Mr. R. F. Nixon: Or just phone him and find out.

Hon. Mr. Rhodes: Mr. Speaker, I will not accept the criticism that is obviously being levelled that I attempted to mislead for some unknown reason, because I had no reason to mislead the members. My information was that the gentleman was prepared to accept the responsibility immediately and he has accepted such responsibility. I have also been advised—

Mr. Singer: The minister said it will start immediately.

Hon. Mr. Rhodes: Yes, and it will start immediately; but preparatory work is required.

Mr. Singer: He is going to be in Florida though.

Hon. Mr. Rhodes: It is going to be done here in Toronto. The gentleman who has been appointed as the secretary is already starting to set up the preliminary work required. Mr. Speaker, I know without any hesitation that the hon. member for Downsview, with his great experience in these areas, knows full well that you don't jump into an inquiry without briefs being submitted and prepared by those who wish to make submissions. He knows there is preparation work that has to be done. If he doesn't, I am amazed, because he's been involved in so many of these things over the years.

Mr. Deans: Supplementary: Given that the need to conduct such a study has been before the Ministry of Transportation and Communications for some considerable period of time—for at least two years, to my knowledge—why would he appoint someone who isn't available to do the job?

Hon. Mr. Rhodes: Mr. Speaker, that is not correct. The gentleman is available to do the job.

Mr. Deans: He is not available!

Hon. Mr. Rhodes: He was appointed primarily because of the expertise he has. He is looked upon throughout the industry—

Mr. Deans: Then he should be called as a witness.

Hon. Mr. Rhodes: —and throughout the province as one who has great expertise and can handle this effectively. As far as that matter being before the ministry for two years, I cannot say whether it has been or not. I was only asked about the question of an inquiry at a meeting that I held with representatives of the dump truck operators around the province. I met with them in my office and it was the first time I had been requested to have an inquiry.

Mr. Deans: Ask the former minister (Mr. Carton).

Hon. Mr. Rhodes: Well, I can certainly do that. But my information was that they were asking me for the first time, and I reacted and now we have an inquiry going for them. I'm not going to accept the criticism at all that we've dragged our feet on it, because

it's not as simple as hon. members opposite would like to make it appear. It's not a very easy problem to solve.

Mr. Speaker: The hon. member for High Park.

WIRETAPPING BY ONTARIO PROVINCIAL POLICE

Mr. Shulman: A question of the Premier, Mr. Speaker: In the absence of the Solicitor General (Mr. Kerr) and the Attorney General (Mr. Clement), and inasmuch as there will not be another opportunity to question them in this Legislature, would the Premier be willing, when the facts can be put together, to make public, as has the Liberal government in Ottawa, the number of wiretaps that the Ontario Provincial Police has carried out under the new legislation? And, specifically, how many politicians have had some attention?

Mr. Breithaupt: Only one.

Mr. Deans: Not only one.

Hon. Mr. Davis: Mr. Speaker, I am sure the hon. member for High Park knows that I'm not going to answer that; and I don't know anyway. I'll chat with the Solicitor General and the Attorney General.

Mr. R. F. Nixon: Supplementary, Mr. Speaker: Can the Premier assure us that no elected politicians have been wiretapped?

Mr. Lewis: Why is the Premier turning his hand that way?

Mr. R. F. Nixon: The implication is that some of them have.

Mr. Singer: They are the ones who are wiretapped all the time.

Hon. Mr. Davis: I can only say, Mr. Speaker, I certainly am not aware of any.

Mr. Lewis: By way of supplementary: Did the Premier know that the Liberal caucus is sufficiently paranoid that its members had their phones checked out?

Hon. Mr. Davis: Mr. Speaker, I'm not aware of this; but neither am I surprised.

Mr. Lewis: Well, I thought the Premier might like to know.

Mr. R. F. Nixon: On a point of order, I would be very interested to know if that's so —maybe it was the NDP who were checking out our phones.

Mr. Roy: They were listening in!

Hon. Mr. Grossman: Why would they bother? There is nothing to hear.

Mr. R. F. Nixon: Very interesting conversations.

Mr. Roy: Our secret of success.

Mr. R. F. Nixon: A lot of dissident Tories and unhappy members of the NDPs.

Mr. Speaker: The Minister of Education.

COST OF EDUCATION REPORT

Hon. T. L. Wells (Minister of Education): Mr. Speaker, the hon. member for Sarnia asked me a question the other day concerning a report called the Hay report, and he wanted to know if I'd seen it and why it hadn't been made public.

I would like to tell him that I do not have the report, I did not commission the report, and I have not seen the report. It was commissioned by the committee on the cost of education; it is in their possession. They have not made it available to us, and they do not intend to make it available to us at this time—not until their interim report is presented to us, probably sometime in late spring or early in the summer.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, can we presume by way of supplementary, that when Dr. McCarthy finally reports, that the Hay and Associates report will be available to us?

Hon. Mr. Wells: I can't give the hon. member that assurance, because I haven't got the report; and I'm not sure—

Mr. R. F. Nixon: Well, the minister found out what it is.

Mr. Singer: He works for the minister.

Hon. Mr. Wells: The member is under the wrong impression. He doesn't work for me; he's an independent commission.

Mr. R. F. Nixon: Jack McCarthy is in charge of this. Whatever happened to Jack McCarthy?

Hon. Mr. Wells: Actually, a Mr. Tom McEwan is in charge and he's perfectly within his rights to carry on research studies. This

was a research study. When the commission has completed its work, I presume it will turn over to us all the documents. Until that is completed, it's their property not ours. Why doesn't the member ask Mr. McEwan if he can have a copy?

Mr. Singer: That's why they set up commissions—so we can't find anything out.

Mr. Speaker: The hon. member for Ottawa East.

SEX DISCRIMINATION

Mr. Roy: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. In view of the fact that in the past the Liquor Licence Board has seen fit to try to control the morals of this province through the licensing of establishments, is his ministry or is the licensing board going to take any action against any private clubs that clearly discriminate against women, as with the situation in Ottawa last week where a female employee of the city of Ottawa was barred until 6 o'clock at the Laurentian Club? Is the minister going to take any action? They have a liquor licence, don't they?

Hon. Mr. Handleman: Mr. Speaker, I am aware of the incident the hon. member refers to. I am not sure whether or not the Liquor Licence Board has received a complaint on that, but I assume if they had they would look into it and take appropriate action.

Mr. Roy: May I ask the minister one supplementary, Mr. Speaker? Is the minister prepared to state here that as a matter of policy his department, or the Liquor Licence Board, will follow the dictums and the general principles of the Human Rights Code and will be reviewing the licences of clubs such as these, or other private clubs, which have clearly discriminated against females or other people?

Hon. Mr. Handleman: Mr. Speaker, neither my ministry nor the Liquor Licence Board is responsible for the administration of the Human Rights Code. Perhaps the hon. member would like to direct his question to the Minister of Labour.

Mr. Speaker: The member for Wentworth?

Mr. R. F. Nixon: They blame him for everything now.

Hon. Mr. Handleman: That's right.

HIGHWAY 20 ACCIDENT STUDY

Mr. Deans: Mr. Speaker, a question of the Minister of Transportation and Communications: Would the minister ask his officials to make available to the city of Hamilton the degree of traffic that travels on and the accident rate on Highway 20 between the Queen Elizabeth Way and Highway 53? Will the minister take steps to ensure that the proposition put forward by the Hamilton board of control—that Highway 20 be developed as the major north-south access route from Nanticoke to Hamilton—be discarded because of the dangers it will inflict?

Hon. Mr. Rhodes: Mr. Speaker, in answer to the first part of the question, yes, indeed, I will see that the information we have is made available.

As far as discarding the proposal—I haven't seen that particular proposal. I would like to look at it first. I recognize there has been considerable debate in the city of Hamilton over the possible location of this facility. I won't say I will discard it at this time but we will certainly look at the situation that has been proposed.

Mr. Speaker: The member for Waterloo North.

LANDFILL IN QEW LINK-UP

Mr. Good: Mr. Speaker, a question of the Minister of the Environment: In light of the fact that his water quality branch and the Hamilton Harbour studies have shown the adverse effect of existing landfill in the Hamilton harbour area, has his ministry done an environmental assessment on the impact of the proposed eight-lane realignment of the QEW, between the Guelph Line and Highway 20, that would require considerable landfill in that area?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, the only concern that I have had recently is the railway dumping fill into the harbour. I wrote to the federal authorities, to the federal Minister of the Environment, Madame Sauvé, pointing out our concern about fill without proper environmental controls, and I can assure the member that if there is work being done within T and C, we work very closely with that ministry on environmental matters.

Mr. Good: A supplementary, Mr. Speaker: Is the minister aware that the link-up is in its advanced planning stages and calls for a

considerable amount of fill in that area? Is this not an indication of why the minister resists environmental assessment impact legislation—simply because the minister does not want to clamp down on people like T and C?

Mr. Speaker: Order, please.

Mr. Good: What is the minister doing about it?

Hon. W. Newman: Mr. Speaker, it is just too bad that in the dying days of this session some people want to make political remarks.

Mr. Breithaupt: The minister is imputing motives.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister.

Mr. Singer: Mr. Speaker, I think it is entirely out of order to make political remarks in this assembly.

Interjections by hon. members.

Hon. W. Newman: Mr. Speaker, I can assure the hon. member that our people are aware of any environmental matters that are going on in that area. As far as any other branch of government is concerned—we do happen to work very well together in this government on this sort of situation.

Mr. Good: One final supplementary: Has the minister asked T and C to realign that proposed road so that it does not require so much landfill into the harbour?

Hon. W. Newman: Mr. Speaker, every piece of work that is done is checked out for environmental purposes. We have not, to my knowledge, asked for any realignment of the highway, no.

Mr. Good: Show us the studies.

Mr. Speaker: The member for York South.

OHC HOME VISITORS

Mr. MacDonald: Mr. Speaker, I have a question of the Minister of Housing with regard to the cutbacks of the inadequate staff of OHC. Since the report of a home visitor is a prerequisite to any decision with regard to providing accommodation for an applicant, what is the justification of OHC in cutting back the number of home visitors from eight to six?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I regret I can't hear the question.

Mr. MacDonald: Since the report of a home visitor is the key to any decision with regard to an application for accommodation in OHC, and since there is a very great backlog and great delay in home visiting, what is the excuse or rationale of OHC cutting back on the home visiting staff from eight to six?

Hon. Mr. Irvine: Mr. Speaker, I will find that out for the hon. member and tell him.

Mr. Speaker: The member for Downsview was on his feet a few moments ago. I will allow him to put his question now.

PNEUMATIC TUBE CONTRACT

Mr. Singer: Mr. Speaker, I have a statement—a question of the Minister of Health.

Interjections by hon. members.

Mr. Stokes: Let's get together on this.

Hon. Mr. Davis: A statement is probably closer to the truth.

An hon. member: A little later he'll be making a statement.

An hon. member: The member had better start practising.

Mr. Singer: Right. Mr. Speaker, the Minister of Health will recall the correspondence he exchanged with me about the bid put in by Thorne Pneumatic Tubes for a tube system in the hospital, which was the lowest bid and which did not get the contract. The contract was awarded to—

Mr. Stokes: Question?

Mr. Singer:—a bidder who was two or three times higher. Could the minister explain how he is going to penalize that particular hospital in handling provincial grants, because the grants are given on a per-bed basis and have nothing to do with pneumatic tubes? And could the minister also explain why, since so much money goes into building hospitals, the minister is not able to assert some kind of authority and make sure that the low bidder does, in fact, get tenders when he is the low bidder?

Hon. Mr. Miller: Mr. Speaker, apart from the fact that the member is looking into the future in a very poor crystal ball—

Mr. Singer: The minister told me that in his letter. I'm quoting from it.

Hon. Mr. Miller: The member is not connecting his thoughts with mine right now.

Mr. Roy: The member was right the first time. He did make a statement.

An hon. member: He's after the minister's job.

Hon. Mr. Miller: Yes, that's certainly a nice thought.

Mr. Roy: That's what the public think.

Hon. Mr. Miller: I would suggest that the low tender is not always automatically chosen by anyone requesting tenders, and with good reason, as the member knows. However, normally it's been the policy of our ministry to grant moneys on the basis of the low tender if a hospital board selects other than that tender.

This has happened in other cases. A board, for very good reasons, may have chosen a contractor who is within the community that that hospital serves, versus one in another country, or in another part of Ontario. Where the board has made that determination—or on the basis of product quality has made that determination—we have seldom gone along and given a grant on anything but the lowest tender.

Mr. Singer: Would the minister explain, by way of a supplementary, why this particular low tender did not get the contract? In none of the correspondence—and it's been voluminous—was there any suggestion from the minister or from anyone else but that the low tenderer was a good tenderer; that the low tenderer was Canadian; that the one who got it for 50 per cent more was an American company. Can the minister explain why, in this case, the low tenderer did not got the contract?

Hon. Mr. Miller: Earlier, the member's leader was implying that all decisions should be made in Queen's Park, and now he is.

Mr. Breithaupt: Not in the slightest.

Hon. Mr. McKeough: They are the greatest centralists over there that ever were.

Interjections by hon. members.

Mr. R. F. Nixon: Just where is the minister spending his money?

Hon. Mr. Miller: I would only say to the hon. member we do set up boards—

Hon. Mr. McKeough: They'd destroy local government, hospitals, school boards. They're just bureaucrats.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Miller: We do set boards up to make decisions based on the facts before them.

Mr. Speaker: The member for Ottawa Centre.

RENT CHANGE SURVEY

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Housing. In view of the fact that rent increases of 35 per cent or more are becoming the rule rather than the exception in Metropolitan Toronto and other parts of the province, does the Ministry of Housing now carry on a regular survey of rent changes in the province and, if so, will the ministry publish that on a regular basis?

Hon. Mr. Irvine: Mr. Speaker, we do not carry on a regular survey but we carry out a survey from time to time to indicate to us what the rent increases are. As I said before, we think supply is the answer to controlling the rent increases and we still intend to pursue that policy. I would hope that the figures that have been reflected recently will increase, as they have shown that the vacancy rate in Metro Toronto which was 0.9 is now 2.6. I hope that continues in that direction.

Mr. Cassidy: A supplementary: Will the ministry publish its most recent survey of rents, or table it in the Legislature, along with the comparison of the increases in cost that may have been experienced by landlords?

Hon. Mr. Irvine: I will take that under consideration.

Mr. Speaker: The member for Nipissing.

ONTARIO LOTTERY

Mr. R. S. Smith: Mr. Speaker, I have a question of the Minister of Culture and Recreation. Could he explain to me why the advertising agencies have been chosen to publicize the lottery in this province before the appointment of the Ontario Lottery Corp.? And if everything is going to be done by the government, what purpose is the Ontario Lottery Corp. going to serve?

Mr. Breithaupt: That was the first lottery.

Hon. R. Welch (Minister of Culture and Recreation): Mr. Speaker, there is a very simple answer: There has been no award of any contracts for those particular services.

Mr. R. S. Smith: The minister is saying, then, that the report in the Globe and Mail this morning is not correct?

Hon. Mr. Rhodes: That's not unusual.

Hon. Mr. Welch: The report referred to was in yesterday's Globe and Mail, Mr. Speaker, and the factual situation is that there is no permanent board in place to award contracts.

LOW-ALCOHOL BEER

Mr. M. C. Germa (Sudbury): I have a question of the Minister of Consumer and Commercial Relations. Regarding the introduction of a 3.9 per cent alcohol level of beer, does the minister agree that this is beneficial to the Province of Ontario? If he does agree with this presumption, why did he not see that there was a price differential built into the cost of this product which would truly reflect the lower costs of manufacture?

Hon. Mr. Handleman: Mr. Speaker, I think the introduction of the new low-alcohol-level beer gives people an alternative which should be available to anyone. The reason there is no price differential is because there is no cost differential.

Mr. Speaker: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question—

Mr. E. J. Bounsall (Windsor West): Supplementary.

Mr. Speaker: The time is just about up. I will allow only a couple of new questions.

AUTOMOBILE LICENCE INFORMATION

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of Transportation and Communications. Since citizens can no longer get the names and addresses of motorists in the province by phoning in to this ministry and giving the licence plate number, is the minister prepared to stop his ministry selling names and addresses of Ontario car owners and drivers to a United States based firm which is a commercial organization and which, in turn, sells to other commercial organizations? Would the minister not agree this is really a commercial invasion of privacy?

Mr. R. F. Nixon: Is the government still doing that?

Mr. Stokes: All for $35,000.

Hon. Mr. Rhodes: Mr. Speaker, that particular matter is under review at the present time.

Mr. R. F. Nixon: It was three years ago.

Hon. Mr. Rhodes: I think that—

Mr. R. F. Nixon: We keep getting those plain brown envelopes.

Hon. Mr. Rhodes: If the sort of stuff the hon. Leader of the Opposition buys has to come in a plain brown envelope, he can go right ahead.

Mr. R. F. Nixon: It comes because they are given the name and address.

An hon. member: It's most likely the stuff the ministry sells.

Interjections by hon. members.

Mr. Gaunt: May I have a simple answer to my question?

Mr. R. F. Nixon: It is under review.

Hon. Mr. Rhodes: I gave a very simple answer. I said it was under review.

Mr. R. F. Nixon: The minister doesn't like to apologize, but he apologizes.

Mr. Speaker: Order, please. The question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Stewart tabled the report of the Agricultural Research Institute of Ontario and the Crop Insurance Commission of Ontario.

Hon. Mr. Rhodes: Mr. Speaker, with your indulgence, I would like to table as a report a list I have compiled of all the properties that were purchased by my ministry for future Highways 403 and 407. Between Burlington on the west and Markham on the east, a total of 97 properties have been purchased between Dec. 22, 1954, and Dec. 4, 1974. I table that for the information of the House.

I would point out that this information includes the registration date of deed, the owner, the value of the purchase and the acres acquired. I would also point out, Mr. Speaker, that the information will also show quite clearly that a comment which was made by the Leader of the Opposition—that one land purchase of $1,500,000 was the largest single land purchase ever made by the ministry—is totally inaccurate.

Mr. Roy: The member knows more about the ministry than the minister does.

Mr. Wardle from the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 118, An Act to amend the Condominium Act.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

ELECTION FINANCES REFORM ACT

Hon. Mr. Davis moves first reading of bill intituled, An Act to regulate Political Party Financing and Election Contributions and Expenses.

Motion agreed to; first reading of the bill.

Mr. Cassidy: On a point of order.

Mr. Speaker: Does the member have a point of order?

Mr. Cassidy: Yes, Mr. Speaker, on the report of the standing committee on the administration of justice, I don't recall whether the Speaker asked whether that should go to committee or not.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): He certainly did.

Mr. Speaker: I allowed the usual pause and there was no dissent.

Mr. Cassidy: There was a great deal of confusion in the House at the time, Mr. Speaker, and it was very difficult to hear the member.

Mr. R. F. Nixon: The member for Ottawa Centre made it.

Hon. J. White (Minister without Portfolio): He was asleep at the switch.

Mr. Cassidy: I would like to ask that it be put into committee, please. It was made clear at the time that we intended to put it in committee.

Mr. Speaker: Order, please. I quite distinctly asked the question. I am sure it came out loud and clear. If someone was distracted, I'm sorry, I can't help that. I can't change the order.

Mr. Cassidy: On a point of order, Mr. Speaker.

Hon. Mr. White: The member is out of luck.

Mr. Cassidy: We have about half an hour debate in committee, which was intended to be held in order to put forward certain points. It seems to me that a certain co-operation in these affairs would be helpful. The report came through. It was not being anticipated and it simply didn't come through to us. We normally react to these things in this party, Mr. Speaker, as do the Liberals.

Mr. Speaker: Actually, there is no point of order. The procedure went forward according to the standing orders. I have no power to change it.

Mr. Lawlor: Mr. Speaker, this is a breach of understanding in the honour of the House. We downstairs made quite clear that on this condominium thing there were a number of amendments. We gave notice that it would be heard in the House. By a slip or oversight it passed through in the confusion of the thing. I would ask that we be given permission to do this. I also spoke to the House leader of the Conservative Party and asked that this would be forthcoming immediately. We are sitting here ready to go ahead and we would ask you to give us this favour.

Mr. Breithaupt: Mr. Speaker, I don't know why our friends perhaps sat muted at that point, but it may have been lost in the hearing of the House. We certainly would agree to consent to a reversion so that the bill could be directed to the committee of the whole House, which I understand was the expectation, at least of the members.

Mr. Speaker: The Speaker will await direction from the House leader.

Hon. Mr. Winkler: Mr. Speaker, I must say I understand from the minister that it certainly would proceed to the committee of the whole House. Although I am not the one to ask for unanimous consent in this particular instance, it is my understanding that that was how the business would proceed.

Mr. Stokes: That's right.

Mr. Speaker: Do you mean direct it to the committee of the whole House?

Agreed.

Mr. Speaker: I so direct it to the committee of the whole House.

Mr. Cassidy: Thank you, Mr. Speaker.

ONTARIO ENERGY BOARD ACT

Mr. Young moves first reading of bill intituled, An Act to amend the Ontario Energy Board Act.

Motion agreed to; first reading of the bill.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I don't know how I should do this.

Mr. Speaker: Order, please.

Mr. Stokes: Don't do it right now.

Mr. Speaker: Did the member have a point of order?

Mr. Young: Mr. Speaker, just a word of explanation; the purpose of this bill is to expand the jurisdiction of the board to enable it to approve terms of conditions of supply agreements between the companies and the consumer, particularly in the area of water heaters and conversion burner rentals.

Mr. Cassidy: First rate.

POST-RETIREMENT INTEGRATION OF INSURANCE MONEYS AND PENSION BENEFITS PREVENTION ACT

Mr. Laughren moves first reading of bill intituled, An Act to prevent post-retirement integration of Insurance Moneys and Pension Benefits with increases in Government Social Security Plans.

Motion agreed to; first reading of the bill.

Mr. F. Laughren (Nickel Belt): Mr. Speaker, the purpose of this bill is to prevent the reduction of moneys paid out under an insurance or pension plan because of a general increase or cost-of-living increase in a government social security plan with which it may be integrated.

Mr. Speaker: The hon. member for Peel South has a point.

Mr. Kennedy: Mr. Speaker, in last night's Star—in the three-star and four-star editions at least—on page A6 there was an article about the 3,800 unfortunate Ford auto plant workers who were laid off, and the author says: "Provincial red tape has held up the unemployment insurance benefits." I think that should be clarified. It implies that the province is responsible, and of course we all know that isn't the case. I think there should be clarification of that in the House.

LEGISLATIVE PAGES

Mr. Speaker: Just before the orders of the day, I would like to draw to the attention of members of the House that this group of pages, the young people we see around us who have been serving us faithfully for the last five or six weeks, will be leaving these hallowed places, possibly today if we should finish our session, and going back to their studies. I am sure that you agree with me when I say they have served us well and we all wish them well in their studies and their future careers.

According to custom, I will now read their names so that they appear in the record and be enshrined in the history of the province. These are the young people's names:

Ellen Atkin, Whitevale; Garry Bearss, Ridgeway; Anthony Bird, Toronto; Sylvie Browne, Thunder Bay; Trevor Burns, Mississauga; Mark Ferrier, Timmins; Eris Flint, Willowdale; Linda Hack, Scarborough; Paul Holbrough, Beaverton; Susan Hoy, Kingston; Joanne Jamieson, Etobicoke; Stewart Jeans, Burford; Darryl Kelly, Fort Frances; Ian McLagan, Ingersoll; Michael Parker, Agincourt; Carter Powis, Kitchener; Heidi Schumacher, Weston; Paul Smith, Sault Ste. Marie; Angela Stewart, Downsview; and Ruth Walker, Dundas.

Orders of the day.

Clerk of the House: The second order, House in committee of the whole.

CONDOMINIUM ACT

House in committee on Bill 118, An Act to amend the Condominium Act.

Mr. Chairman: Are there any comments, questions or amendments to any section of the bill? If so, to what section?

Mr. M. Cassidy (Ottawa Centre): Sections 2 and 7, Mr. Chairman.

Section 1 agreed to.

Mr. Chairman: The hon. member for Ottawa Centre.

On section 2:

Mr. Cassidy: You got it right, Mr. Chairman, thank you very much.

Mr. Chairman, I have a double-barrelled amendment to propose here. There are two points we wish to raise under this particular clause, and because of the rules of order, we have to join them together into one amendment.

The purposes of the amendments are to prevent discrimination in condominiums against people with families, and secondly to prevent the conversion of apartment buildings into condominiums without a very close and detailed and tough scrutiny by the municipality or by the province.

The question of preventing discrimination against families has been covered separately by me in a private member's bill, but it seems to remain here at this time. It was raised during the course of the committee discussion.

The question about the conversion of apartment buildings into condominiums has been raised by my leader, the member for Scarborough West (Mr. Lewis), and is adapted from a similar kind of bill that he has put forward in the House.

Mr. Cassidy moves that section 2(2) of the bill be amended by adding the following subsections:

(8) No declaration by law or rule shall restrict an owner or lessee from allowing dependent children or children in his custody to occupy his unit and to enjoy the rights and privileges pertaining thereto, and no declarant or owner or their agent shall refuse to sell a unit by reason of the prospective owner having or intending to have children.

(9) (i) No declaration or description of the property shall be registered pursuant to this Act where the buildings are occupied, and it is proposed that this Act shall apply to such buildings, unless the council or municipality in which the buildings are situate passes a bylaw approving the proposal that this Act should apply to such buildings.

(ii) The council of a municipality may by bylaw approve, refuse to approve, or subject to such terms and conditions as it may consider appropriate any proposal that this Act should apply to any buildings.

(iii) Before the council of a municipality passes a bylaw under subsection (ii), it shall hold a hearing open to the public in order to consider (a) whether or not there is or should be a priority of rental accommodation over privately-owned housing in the area where the building or buildings are situate; (b) the proposals of the owner or developer for the relocation of the persons occupying the building or buildings; (c) the life expectancy of the building or buildings; (d) the projected increases in maintenance costs due to the condition of the building or buildings; (e) compliance with the applicable bylaw of the municipality; and, (f) any matters that are necessary in its opinion to properly assess the issue.

Mr. Cassidy: Those are the amendments I would put, Mr. Chairman. I will comment on them after they have been received by the House.

Mr. Chairman: The hon. member for Ottawa Centre has moved two amendments to section 2. Shall the committee take them as read, or do you want them repeated?

Mr. Cassidy: That is fair enough, Mr. Chairman.

Mr. Chairman: Agreed. Does the hon. member wish to speak further to the amendments?

Mr. Cassidy: Very briefly, Mr. Chairman. The first amendment states that a person with kids cannot be prevented from acquiring a condominium and cannot be prevented from renting a condominium and that the dependent children are in his custody. That would mean foster children or children who are wards, kid sisters who are sent down to live with an older married brother or sister —that kind of situation. They would also have normal access to the other common facilities that pertain to that particular unit, both the exclusive common elements, and also the tennis courts and the halls and the other popular places that are for the use of all condominium owners.

It also prevents any restrictions on the sale of a unit and any creation in the bylaws,

the rules or the declaration of a restriction against people with children. I have raised this point as recently as yesterday in the Legislature about an increasing number of rental and condominium units in which these kinds of restrictions are beginning to apply. It clearly is unacceptable and it clearly should not be allowed to apply, in our opinion. We grant that some condominiums will be of a nature that does not encourage people with children to buy them, but it should be their decision to decide whether or not to buy into that particular project, and they should not be prevented from so doing.

It seems to us that it is just as much in violation of human rights for a parent of a child to be prevented from acquiring a property as it is to prevent somebody from acquiring a property or living in it because they are black, because they are Jewish, because they are Hindu, or because they are female. This discrimination has got to stop.

Not only that, Mr. Chairman, but there are certain instances in a condominium where people move into the unit, not expecting to have children, but by some accident of luck or design or God, or whatever, they get landed with the children of a relative who was killed in an accident; a woman in her thirties or forties happens to get pregnant; somebody who had intended not to have kids has kids. And then they get put into a situation which is completely unconscionable, I would suggest, where they might be forced to leave the unit solely by reason of having had a child.

It seems to us that insofar as is possible the rights of a private owner to enjoy his home as his castle, as the common law used to say, should apply in condominiums. While that isn't completely possible because people are living close together, in this matter of children there certainly should be no restrictions and no restrictions permitted of law.

I hope that the minister will comment on that part and, hopefully, will accept it. I hope that he will then comment on the second part of the amendment, which is to require that any conversion of an apartment building to condominiums requires a municipal bylaw first, that the municipality set standards for those conversions, and that it consider each such conversion on its merits, and with public hearings, and with particular regard to the needs of tenants in the area and to the interests of the people who may be evicted in the case of the conversion to a condominium going through.

I hope the minister would accept that part of the amendment as well. If he says he'll accept one part or the other, then we will change the amendment in order to suit his requirements.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Just a brief word on this, Mr. Chairman, if I may. This is a double-barrelled thing, having basically to do with children.

The structure of our society in terms of housing is changing before our eyes. You will see that a greater and greater proportion of the population are living in apartment houses or in rented units, one kind or another. Surely, the exclusion of children from that whole demesne, which is an increasing phenomenon, is one which we must all find regrettable, because it's an artificial form of birth control if nothing else. If people are to have families and this country is to progress, then the future of the whole province is at stake really in a very determinate way under this legislation and what's happening in front of us.

I think the minister, having had so much to do with housing, is perfectly cognizant of the apocalyptic impact of what is happening around us. More and more buildings are excluding children. More and more buildings have been converted to purely adult buildings. There is an arbitrary limitation in this particular area.

Lord, it's vicious enough when it attaches to apartment buildings, but it's doubly vicious when it extends itself into the condominium concept; because condominium ownership is the only form of fee simple ownership largely available to the bulk of our population right at this moment in time. All the rest of the single-family home concepts have been completely priced out of the market.

So, this is the saving wedge; this is the thing that's alleviating the whole thing. The ministry or the province as a whole, including all parties in this House, have the opportunity to alleviate housing conditions. It's a new invention, relatively novel to the minds of the province, but once adopted has had an explosive impact. And now, coming to bear in this particular area, it is cutting back on its efficacy as to what it's designed to do: to put a roof over the heads of families. To permit that to be an ongoing thing and not to move in is to be something less than responsible in terms of the ministry, and in terms of the social whole and the impact that we are suffering from.

Therefore, I would very much seek to prevail upon the minister, since these two amendments are really tied very much together, to give his assent, to bow his head and to accept, knowing the weight and feeling of these two amendments. It will greatly improve the legislation as it presently stands. It will take into account a range of social inequity not presently caught within the ambit of this legislation. The minister well knows the deficiencies that even now exist, as pointed out in committee by any number of people, and which we weren't able to rectify at this last sitting or now. We would anticipate that further amendments will be coming forward in the spring, and rather manifold too, to the Condominium Act as it presently stands. But this can be accepted, clearly understood, and moved upon immediately, and I would ask the minister so to do.

Mr. Chairman: The hon. member for St. George.

Mrs. M. Campbell (St. George): Mr. Chairman, I rise to support the amendments as proposed. There is no question that in the city of Toronto it is becoming more and more difficult for people with children to find adequate accommodation.

I would just like to put one part of my concern to the mover, if I might, if I could have the attenion of the mover or his seconder or whatever? One of the problems in condominiums that I have run into, however, is the matter of the availability of parking when there are several children with cars wanting access to limited parking space. I wonder if the mover would give some consideration to the availability of the common owners in a building to sort out that problem of parking. That would be my only concern.

Certainly the rest of it is clear and a matter of natural justice. In some of the places there have been cases where one parking space is allocated, for example, and the children—who are dependent children, nevertheless—have cars and it does create a problem. Surely that is not contemplated in this particular amendment? It says, if I may, "shall restrict an owner or lessee from allowing dependent children or children in his custody to occupy his unit and to enjoy the rights and privileges pertaining thereto."

Mr. Cassidy: The member for St. George is confusing a matter of human rights with a matter of excessive affluence.

Mrs. Campbell: No, I am not.

Mr. Cassidy: No, this is serious.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): You know cities are for cars.

Mr. Cassidy: That's the Conservative position.

Hon. Mr. Handleman: When did that happen?

Mr. R. F. Ruston (Essex-Kent): Cars are a necessity of life.

Mr. Cassidy: The phrase about enjoying the rights or privileges that pertain thereto means, presumably, that if the kids are over 16 and can drive they have access to the parking space or spaces which belong to that particular unit and nothing more. If there are five children over 16 and they each have a car of their own, that's their problem. I don't think the human rights legislation or something like this should seek to cover it. I don't think we are really that much at odds on this.

Mrs. Campbell: I am not at odds, Mr. Chairman, I just have found this to be a case where there were lessees from the owner and the lessees, for example, had several cars, and it created problems for the rest of the owners. I just put it out as one word of caution. As far as human rights are concerned, there is no question that we have to support this particular amendment. As I say, in Toronto and I am sure in other areas, more and more people are being driven into trying to get into condominiums because there are fewer apartments available and they cannot afford housing separate and apart from condominums.

Mr. Chairman: Does the hon. minister wish to comment?

Hon. Mr. Handleman: Mr. Chairman, first of all I must say that the amendments moved by the member for Ottawa Centre—at least the first amendment is one with which I must admit a certain amount of sympathy. However, I don't believe I can accept the amendment in its present form. He did equate what he calls discrimination against children with racial, religious and sex discrimination. I don't really think they are in the same category.

Mr. Cassidy: Sure they are.

Hon. Mr. Handleman: That's the opinion that has been expressed by the hon. member on several occasions in this House and, as

I say, I don't agree with that particular equation.

I admit there is, perhaps, some inequity. However, there is also the right of covenant, I believe, of people who feel that they wish to have a particular type of atmosphere in which to live and condominium living is much closer than single-family dwelling living. So I would say that if people join together in a covenant to agree to move into a building in which there are no people below a certain age, they should have that right.

However, the second argument that the member put forward, and I think it's a valid one, is that when those people move in and have children, while that may not necessarily be an act of God it's certainly one which I don't believe could have been foreseen at the time they entered into the covenant. Under those circumstances, it is my understanding that it cannot be enforced. Those people did not have children and moved in, and I don't know whether a medical examination would be necessary but I presume that they had not even started to have children and there would be no way that that type of covenant could be enforced.

As far as the municipal authority to have some input into condominium conversion is concerned, of course, it's already there. The municipality is already required by the Ministry of Housing to study conversion requests. They act on guidelines which are supplied to them by the Minister of Housing and can discuss with the building owner —not a condominium owner, the building owner—the terms and conditions under which they would like to see the conversion approved. Those would be passed on to the Minister of Housing who has the absolute authority either to accept or reject a request for conversion.

I really can't say that I'm terribly impressed by the hon. member for St. George's argument. I simply feel that a discouragement of the proliferation of cars is one of the things this government has accepted as a matter of policy. In my view, any such amendment as she suggests would simply defeat that policy, since most of the condominiums are going to be in cities, they're not going to be in small towns, and it's in the cities where the automobile is a threat to the very existence of the types of communities that we have developed in Ontario.

Mr. Ruston: Close all the automobile factories down.

Mrs. Campbell: It shows he doesn't understand my position.

Hon. Mr. Handleman: I would like to thank the member for Lakeshore for some of the kind words he said about the whole condominium concept because, again, it was this government which promoted the concept of condominiums at a time when it wasn't popular to do so. It has been very successful to the point now where we've had a condominium Act and its amendments—

Mr. Lawlor: You would have been negligent if you hadn't done so.

Hon. Mr. Handleman: —and I quite agree with him that there will have to be future amendments as the concept develops. But, Mr. Chairman, I must say that the amendments as put forward by the member for Ottawa Centre cannot be accepted at this time.

Mr. Chairman: All those in favour of—I'm sorry. The hon. member for Ottawa Centre.

Mr. Cassidy: I won't press the point right now, but I would ask the minister to seriously consider this debate and the comments that have been made and to reconsider his attitude on discrimination against kids, since he seems to feel right now that's different from discriminating against blacks or Jews, and perhaps he would consider whether he could bring forward amendments in the spring that would embody either or, I hope, both, of the points that are made in this amendment.

Mr. Chairman: All those in favour of Mr. Cassidy's amendments will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Cassidy: You had a tough time on that one.

Mr. Chairman: I declare the amendment defeated and the section carried.

Mr. Chairman: Are there any further comments, questions, criticisms or amendments on any other section of the bill?

Mr. Cassidy: Section 7.

Sections 2 to 6, inclusive, agreed to.

Mr. Chairman: The hon. member for Ottawa Centre.

On section 7:

Mr. Cassidy: Thank you, Mr. Chairman. In view of the fact that this is the last day we're

seeking to make our points but not be unduly dilatory in the discussion.

Mr. Cassidy moves that section 7 be renumbered 7(1) and a new section 7(2) be added as follows:

"7(2) Section 10 of the said Act is further amended by adding a new subsection 4 as follows:

"No bylaw governing animals is valid and no rule governing animals shall require approval by more than the number of members of the corporation who together own a majority of the units."

Mr. Cassidy: Mr. Chairman, that amendment is contained on the sheet I sent up on the first amendment.

Mr. Chairman: Shall we take the amendment as read?

Mr. Cassidy: Yes, take it as read.

Mr. Chairman: All right. The hon. member for Ottawa Centre again.

Mr. Cassidy: Thank you, Mr. Chairman. This is the pets amendment. The question of pets has been discussed with some acidity from time to time among the groups of people who are seeking to find ways of co-existing in condominiums. I guess it is because pets are so dear to us and because on the one hand they provide such solace for many in our society, and on the other hand they create such aggravation for other people in our society, that the debate about pets has tended to be particularly bitter.

The present situation is that all condominiums have a set of bylaws, drafted for them by the developer and which, according to the bill, will be shown to any prospective purchaser before he signs the agreement to buy his condominium unit. They are available now if anybody asks for them, and I presume that they are often shown.

It's common in the bylaws which are normally drawn up to have a rule which prohibits pets entirely or else permits them only so long as they are kept within the unit itself or within the unit and its exclusive common element, the little backyard of the townhouse or the balcony of the apartment. That is a very common provision which is found in condominium bylaws drawn up by the declarants, and in fact those bylaws are recommended by the Urban Development Institute in a model set of bylaws which most developers use.

However, it has also been common that the people who sell condominiums have tended—that is, the sales people—have tended to gloss over the question when pet owners or pet lovers have asked, "Look, what does this mean? Can I bring my dog or my cat or can't I?" They say, "Sure, of course. That's just a kind of routine thing we put into the bylaws, but you'll be okay." The person accepts that verbal warranty from the salesman and moves in, but when the owners take control over the condominium what typically happens in a number of cases is that some people who don't like pets or who feel that dogs leave dog dirt in too many places or whatever begin to protest and seek to apply the provisions of the bylaws relating to pets to the letter of the law.

There is currently a case before the Ontario Supreme Court, I think, which reflects the degree to which this particular kind of conflict can go. In that case I think that the attempt is being made to make a condominium owner leave the condominium because he refuses to get rid of his pet.

The particular problem that emerges in addition is that the bylaws are intended to be not quite graven on marble but at any rate fairly permanent rules for the manner in which the affairs of the condominium are carried out. To change them therefore requires a vote of two-thirds of the ownership of the common elements of the building—not two-thirds of the people who show up at a meeting or even necessarily two-thirds of the unit holders, but votes by people who own two-thirds of the common elements. That's a very onerous restriction, particularly when you consider that in many cases it's difficult to even contact all of the owners. Some are in Florida, some are posted abroad with their companies, and some just out of character refuse to respond to any attempt to involve them in the management of the condominium.

Therefore, if people with pets wish to change the bylaws that have been imposed upon them by the declarant, they find themselves frustrated in a number of cases, either by a determined minority within the condominium who are damned if they are going to have pets come into the place and who refuse to agree to a change in the bylaws or by that group plus another group who are quite simply apathetic, so apathetic that they refuse to get involved or who were inaccessible.

I thought about what should be done and I don't know whether what is proposed here is the most desirable final solution to the question about pets. It seems to me it would

be an improvement on the current situation, particularly in view of other amendments that were made during the course of the committee stage.

We were told that one of the reasons that rules and regulations tend to be written into the bylaws of condominium corporations was because of an ambiguity in the Condominium Act of 1970. This was an ambiguity which indicated that it was possible that rules and regulations had to be approved by 100 per cent of the owners, rather than 66⅔ per cent or by a majority.

An amendment to section 7 of the bill makes it clear that rules and regulations to be created or changed require only the support of a majority of the unit holders. And it is clear, therefore, that the rules and regulations are not quite as graven in marble as the bylaws. You have a gradation. It takes 50 per cent plus one to pass or change a rule. It two two-thirds to pass or change a bylaw. It takes 80 per cent to approve the termination of a condominium. And there may be one or two instances, possibly, where it requires 100 per cent to do something fundamental with the declaration. I'm not sure about that.

At any rate, it seems to me that the least we can do, considering that pets are such a solace for so many people and that pets have become such a part of our way of life in this society, is to acknowledge that at least to the point of saying, "You can make rules about pets, but for God's sake don't make a bylaw about pets which requires a two-thirds majority of all of the people in the place in order to change." In other words, don't solidify whatever the existing regime may be to the point where it is impossible to change it. Provide flexibility by ensuring that if anybody can get 50 per cent of the people in the condominium to agree, one way or the other—no pets, some pets, all pets—that then the necesary change in the rules can be made.

I hope the minister will appreciate that this is a kind of halfway house—that in proposing it I have stopped short of the suggestion that I think was made by animal lovers that it was a violation of domestic rights in some way to prohibit pets under any circumstances. I hope the minister will agree to this slight modification of the existing regime.

Mr. Chairman: Does the hon. minister wish to reply?

Hon. Mr. Handleman: Yes, Mr. Chairman. First of all, of course, the first amendment put forward by the hon. member dealt with children. I must admit that I am far more attracted to the principle behind that amendment than I am in this one. I agree entirely that pets are a great solace to a number of people. The nature of the pet is, I think, what causes difficulties for some other people.

At the present time, pets can only be prohibited under the Act, and not by bylaw or any other way. But in the Act, if they use the common elements, which means, of course, that those pets which cause no disturbance to other people—such as birds within a cage, fish in a fish bowl, etc.—can be kept in a condominium and they cannot be prohibited by bylaw or any other way.

However, there are pets which, from time to time, cause disturbance to other people. It was felt quite appropriate that bylaws be permitted to control the proliferation of pets, such as dogs. I notice that the hon. member's amendment covers animals. I think I would like to be sure that a two-thirds majority would be required to permit a lion in an apartment. It just covers animals, and not necessarily the normal type of household pet.

As the hon. member pointed out, rules require only a simple majority, and there probably is some merit in having a simple majority, 51 per cent of the owners of the common elements, having some control over this. But it could be very disturbing to a very, very large minority, as much as 49 per cent of the owners, if there suddenly happened to be a concentration of people who liked lions or liked tigers, or some other type of disturbing pet.

I agree entirely with the hon. member—

Mr. Cassidy: You are stretching it—you are really stretching.

Hon. Mr. Handleman: Well, we used the extreme to point out the ridiculousness of the possible amendment.

Mr. Cassidy: You are using the extreme.

Hon. Mr. Handleman: I don't think that extreme would ever occur, Mr. Chairman, but it is possible under the amendment. It's not for that reason that I can't accept the amendment; I just want to point out there is that possibility. I do believe the safeguards that are presently in the legislation and in the bylaws of most condominium units do permit the quiet enjoyment of pets. Certainly I would not want to be accused of being against pets at this particular time.

Mr. Cassidy: But that's what you are being.

Hon. Mr. Handleman: No, we are not. I think the marketplace may decide. If people know that their pets are to be allowed in a building, they will buy a condominium in that building. Certainly people who move in without pets and then acquire one know that they are violating the rule under which they moved in. As far as the misrepresentation by the salesman is concerned, I am quite sure that the hon. member will support me when I bring in legislation to govern that type of thing, but it should not be dealt with only under condominium legislation. There are other misrepresentations that have to be dealt with in separate legislation.

Mr. Cassidy: Mr. Chairman, if I can take it a bit further, I am rather alarmed by the fact that if 33⅓ per cent of the owners in a condominium—a substantial minority in other words—don't like lions, they can be overwhelmed by the vote of two-thirds of the people in that particular condominium in order to permit lions to be had as pets. In taking the argument to the extreme the minister has really got to the ridiculous. I don't think he has answered the point with which I began, which is that the initial rule about pets tends to be anti-pet or anti-domestic animals. If he wants to put the word domestic animal or domestic pet in here, I am quite happy to change that. The UDI recommends that that be done.

Given the fact that there are a certain small number of people who don't like pets at all and other people who are apathetic, and given the difficulties that we were told about in the course of the committee hearings in making any changes to bylaws, because you have to assemble a two-thirds vote, it makes it for practical purposes well nigh impossible, or at least extraordinarily difficult, to change the rules relating to domestic animals. Yet it doesn't seem to me that the rule about domestic animals is in the same category as, say, a rule about the corporate structure, which is governed by the bylaws and which ought to properly be enshrined in them.

It seems to me that if we move this to the category of rules requiring a 51 per cent majority of all the people there, it is still certainly open to a group that doesn't like it to negotiate, to go through the political process, to say, "Look, if you want to have dogs of any sort wouldn't you agree to a rule that permitted small dogs?" and to do that kind of thing in the same way as has happened on occasion within this particular House—and, in fact, in the way that I am hoping might happen between the minister and myself.

He is quite correct in saying that he feels more strongly about children than about pets. I do too. That is why the amendment concerning children said that under no circumstances should condominium owners or declarants be permitted to prevent kids from coming into and living in a condominium. What this amendment says is that for the sake of the large number of people in our society who do care about pets if they are a majority they should be able to make reasonable kinds of rules relating to domestic animals and they shouldn't be hung up because of a set of rules that has been drawn up by the UDI and adopted by the declarant.

As for the point about misrepresentation, as far as that is concerned, by the time somebody finds out that the rule about pets is going to be applied to the letter of the law, the agent who sold him the unit has probably long since departed and gone into selling automobiles or canned beans or something like that. In fact, the declarant himself may have also gone out of the business. It's not something where the effect is normally immediate. It's more like something that arises out of tensions and so on over a year or two before it all comes to a head.

The third point is that in many cases a person may be a pet lover and may want to have a pet and be assured that despite the bylaw it is going to be okay. Even though they know that pets are not permitted, they may, however, want to have the condominium for other reasons. It's close to the place of work, they like the setting, it suits their financial ability to pay, and any condominium that actually permits pets is beyond their ability to pay. In other words, the question of pet or no pet may not be central to the decision, even though it is a substantial influence and therefore they cannot afford not to say yes to the place, even though it has got the pet rule.

Does the minister see what I am arguing here though, that because it's the declarant who makes the bylaw and he does it just with the stroke of a pen, and because of the excessive difficulty that there is in changing those rules, we ought to just permit changes of rules with a 51 per cent majority?

Hon. Mr. Handleman: Mr. Chairman, first of all I disagree with the hon. member in

that I consider the presence of disturbances in the form of pets much more important to the enjoyment and quality of life than the corporate structure of the condominium. The corporate structure of the condominium does require a two-thirds majority to change bylaws, and I would certainly think that that type of intrusion on the rights of the co-owners should be governed by bylaw and therefore it would take 66⅔ per cent of the owners to change it.

I don't think the fact that UDI has a model set of bylaws is necessarily enshrined in tablets of stone. Any declarant may, if he wishes, include in his declaration and description the fact that pets are permitted, and this again, I think, might be governed by the marketplace rather than by legislation. I think the difficulty in changing bylaws was exaggerated by those who dwelled on this point at great length before the committee. It has always seemed to me that if anybody is really set on obtaining a two-thirds vote, it can be done by knocking on doors and obtaining the necessary proxies. So if there is really a serious move toward a change in a bylaw, it may be cumbersome and it may be difficult, but people who are really dedicated to that cause can achieve it without all the difficulties that were attributed to it in the committee.

Mr. Chairman: Mr. Cassidy has moved an amendment to section 7. It was previously read.

All those in favour of Mr. Cassidy's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it. I decare the motion lost.

Are there any other comments, criticisms or amendments to any other section of the bill?

Hon. Mr. Handleman: Section 14, Mr. Chairman.

Sections 7 to 13, inclusive, agreed to.

Mr. Chairman: The minister has an amendment.

On section 14:

Hon. Mr. Handleman moves that clause (f) of subsection 1 of section 24b, as contained in section 14 of the bill, be amended by adding at the commencement thereof: "Where the agreement for purchase and sale is entered into within the year immediately following the registration of the declaration and description."

Hon. Mr. Handleman further moves that subsection 4 of section 24b, as contained in section 14 of the bill, be amended by striking out "c" in the second line and inserting in lieu thereof: "(f) of subsection 1, or clause (f) of . . ."

Hon. Mr. Handleman: Mr. Chairman, there was considerable discussion of this clause during the standing committee. The amendment was added to require a forecast of the first year's budget to be given to a purchaser after registration, and the amendment confirms the requirement to ensure, where the purchaser is in the first year and not in subsequent years, that he will receive the information that was intended by the section as it was discussed during the committee.

Mr. Chairman: Any further discussion on the minister's amendment? The hon. member for Ottawa Centre.

Mr. Cassidy: The point that the first half of the amendment makes, that this requirement that the budget statement be given by the declarant on a building that has been registered only in the first year—because that's when the declarant prepares the budget and after that it is normally assumed that the owners have control—is a reasonable kind of amendment. It makes sense to us and we are willing to accept it.

In the second part of the amendment, I think that the "c" referred to should say "e," according to my reading, for it to be strictly correct. My copy of the bill as amended by the administration of justice committee has "e" where the minister's amendment suggests it should be a "c" and where we both agree it should be an "f".

I have another question which relates to subsection 4 of that section. The second last line uses the wording "except in respect of increased expenses referable to the determination of an agreement under section 15a". That didn't really jibe with my recollection of what we had agreed to. I had: "Except with respect to the increased expenses attributable to the termination provided for in section 15a". The word "determination" may be an error. Perhaps the minister's officials can send him up a note on that.

The intent of the committee was fairly clear that if new management came in and made decisions that increased the expenses, by increasing the level of services for example, then the declarant shouldn't be liable under the penalty clause. Can the minister comment on whether those words are as in-

tended, or whether a mistake could possibly have been made?

Hon. Mr. Handleman: Mr. Chairman, on the first point that the hon. member made, if there is an editing error I think it can be corrected by the legislative counsel on re-examination. On the second point that was made, I don't believe there's any error, and that the wording as now indicated meets the wishes of those who were at the committee.

Mr. Chairman: Any further discussion?

Mr. Cassidy: Mr. Chairman, I asked the brilliant hon. member for Lakeshore for his legal opinion. In other words, did he understand it? And he said no. He was very succinct, as well, in that legal opinion. Could the minister explain what the phrase "referable to the determination of an agreement under section 15a" actually means?

Hon. Mr. Handleman: Mr. Chairman, it should read "termination." I think that was the word that we were using in the committee. That's acceptable.

Mr. Chairman: I missed that correction, Mr. Minister. Would you repeat that again?

Hon. Mr. Handleman: Yes. It should read "termination" in 15a.

Mr. Cassidy: Mr. Chairman, that is acceptable, I think. The word "referable" is a bit archaic, but as long as it says "termination" rather than "determination" that's—

Mr. Lawlor: Let me understand what's happening here, though. In committee the word was "attributable to"—I haven't looked it up but that's what remains with me. You, in the meantime and out of committee, have thought through legislative counsel that the word "to the determination of" more closely reflected the intent of the committee—is that what you're saying?

Mr. Cassidy: Would you accept "attributable"?

Hon. Mr. Handleman: "Attributable" is the word that was used in the committee, but we're talking here about the change in the word "determination of an agreement" as I understand it. And the word should be "termination."

Mr. Cassidy: We accept the change from "determination" to "termination", but since it's now agreed by both the minister and by ourselves that the word that had been used in committee, when the amendment was made, was "attributable", we're asking if the minister would now go back to the word as proposed by the committee.

Hon. Mr. Handleman: Yes. You're saying that the word "referable" is not as clear as the word "attributable"?

Mr. Cassidy: Not in our view. It is not, no.

Mrs. Campbell: Referable doesn't mean the same thing.

Hon. Mr. Handleman: As I recall, the wording that the committee did use was "attributable to the termination of." If eminent people of the profession, such as the hon. member for Lakeshore, feel that that's not clear, I'm quite prepared to accept—

Mr. Lawlor: Well, we are not going to.

Hon. Mr. Handleman: —and leave it to the courts to determine whether or not "attributable" can be interpreted in the way that it was intended by the committee. So I am prepared to accept the word "attributable" to replace the word "referable" and remove the word "determination."

Mr. Cassidy: Is that a motion?

Hon. Mr. Handleman: Yes, I would move that, Mr. Chairman, if it is necessary to effect that change by movement.

Mr. Chairman: We have heard the original amendment presented by the minister plus the two verbal—one verbal amendment?

Mr. Cassidy: Two.

Mr. Chairman: Two verbal amendments.

Hon. Mr. Handleman: One, Mr. Chairman, I don't believe that requires an amendment. The word "determination" is simply an editorial error. I wouldn't have to move the correction of that.

Hon. Mr. Handleman moves that the word "referable" in section 24b(4) of the Act be changed to "attributable."

Motion agreed to.

Mr. Chairman: Are there any further questions or amendments to any other section of the bill?

Sections 14 to 20, inclusive, agreed to.

Bill 118, as amended, reported.

MINING TAX ACT

House in committee on Bill 111, An Act to amend the Mining Tax Act, 1972.

Hon. J. White (Minister without Portfolio): When this bill was debated on second reading, I made mention of the fact that there were four amendments to be made, and I provided those amendments to the Speaker so that the reprinted bill now includes those technical amendments, none of which are substantive.

Mr. Lawlor: Mr. Chairman, if I may interject and interrupt the minister in this regard, you will note if you look at the bill that some of them are amending sections of the Act which were previously not before this committee. When my friend says that they are not substantive, we over here feel we have some obligation to say that as far as we consider this revamped document before us is a wholly new bill. We have a new kind of animal; and to seek to amend legislation in this particular way is not parliamentary, to say the least, and we must place our objections before you on this partciular count.

Hon. Mr. White: Well, certainly we can do one of several things. We can consider it now, or let the matter go until the next session. I am sure I don't care.

Mr. Lawlor: He doesn't care!

Hon. Mr. White: But, in fairness, let me point out that I drew this to the attention of the House while the leader of the NDP was in his seat and while the Liberal leader was in his seat, and I explained that by providing the amendments to the House, to the Speaker, at the time of second reading, it enabled us to have the printed versions in the book, probably yesterday—I am just not sure when they went in the book. This, it seemed to me, was ever so much to be preferred, contrasted with my offering these technical amendments—which, indeed, is what they are—during this committee meeting. Do what you want; I couldn't care less.

Mr. Lawlor: All right, calm down, take a sedative. We will proceed with the legislation.

Hon. Mr. White moves that the reprinted bill be the one considered.

Motion agreed to.

Mr. Chairman: Are there any comments, questions or amendments to any section of the bill—and, if so, which one?

On section 1:

Mr. Lawlor: Does the hon. minister have to move these amendments, or have they already been placed before this House?

Hon. Mr. White: I am now in the hands of the lawyers, I am sorry to say, with respect to this and my previous remarks. I am now informed by law officers of the Crown that I don't have to move the amendments, they having now been put before the House in the form of this document.

Mr. Lawlor: Nevertheless, Mr. Chairman, taking the new amendment to subsection 2 of 1, where output is defined and a greater definition placed on processing, would the hon. minister—I think we are going to drive you this far—would you give an explanation, each in turn, of your amendments—starting with these particular ones—so we will have on the record precisely what your intent is?

Hon. Mr. White: Yes, sir, this amendment deletes reference to mineral substances "incorporated in any manufacturing process." The purpose of this amendment is to make it clear that the tax imposed by this Act is a tax upon mining profits when realized and not a tax on notional profits before the minerals or the processed materials are sold.

This amendment will assist mining companies that pay income tax to jurisdictions outside of Canada to claim full credit for Ontario's mining tax in calculating that other income tax liability.

The additional amount of money made available to the companies as a result of this credit, it is hoped, will be available for reinvestment in exploration and development within Ontario.

Mr. Lawlor: Mr. Chairman, what impact does it have upon stockpiling and inventory? Can they escape your tax by simply spacing it out and averaging it over the years by getting larger or smaller piles of material in an unprocessed state?

Hon. Mr. White: No, this is not possible.

Mr. Lawlor: It is not possible?

Section 1, as amended, agreed to.

Mr. J. E. Stokes (Thunder Bay): I haven't had a chance to look at the reprinted version of the bill. What section of the reprinted bill covers the allowance of the basic $100,000 exemption for what is purported to be a new mine? Where would I bring that up, Mr. Chairman?

Mr. Chairman: Maybe the minister could enlighten the Chairman on that.

Hon. Mr. White: As soon as I enlighten myself.

Mr. Stokes: I think it is section 2.

Hon. Mr. White: Yes, it's section 2.

Mr. Chairman: Okay, the hon. member for Thunder Bay.

On section 2:

Mr. Stokes: Yes, my question is purely for a matter of clarification. We did have some discussion about this on second reading, and the minister alluded to the fact, which is reflected in the bill—it was in the original version—that the first $100,000 of profits would be exempt in the case of a new mine. Would you define for me—I don't think it's defined any place in here—what constitutes a new mine?

The thing that troubles me is the situation where there is a producing mine with a headframe and perhaps a couple of shafts and they drive a level and start a new shaft or a new ore body in a new zone within the mine. Would that constitute a new mine? Is this going to be a section of the Act where existing and flourishing mining companies are going to be able to take advantage of this tax loophole in order to gain the benefit of the provisions that are applied strictly to a new mine rather than an extension of an existing mine?

Hon. Mr. White: We understand the perils involved here, and we have established the following criteria for a new mine or for a disaggregation:

A mining investment designed to increase ore production from a mine by 30 per cent over the previous high production;

A mining investment of at least 25 per cent of the original cost of depreciable mining assets of a mine;

Mines inactive on April 9, 1974, that are reopened or, if closed down after that date, remain closed for five years before reopening.

Any other major mining investment is determined by the Lieutenant Governor in Council.

We did feel compelled to provide the full range of tax rates for a new mine or for a major expansion of an existing mine. We were aware that in the past the federal corporations tax was very largely avoided by a number of mining companies which utilized the criteria existing at the time to claim investment as a new mine or a major expansion to a mine whereas in fact it was a part of their regular mining activities. This was accomplished in at least one case by drilling a new shaft, taking the equipment down through that new shaft into the old part of the mine and getting tax relief on the new equipment used in the old mine.

We thought we had to have this fourth approach, that is final determination by the Lieutenant Governor in Council—a matter of public record, of course—to guard against undue exploitation of these provisions.

As I say, we are fully cognizant of the complexities and difficulties involved. The alternative was not to disaggregate and to put the existing mining companies in a position inferior to either new mining companies or to existing manufacturing enterprises which go into the mining business. That didn't seem equitable either. We think we have plugged the loopholes that were experienced with the federal legislation, and in so doing we think we have a better solution than imposing penalties on existing mining firms.

Mr. Chairman: Do any more members wish to take part? Section 2, the member for Lakeshore.

Mr. Lawlor: Yes, section 2. It is a very long section, you will notice, Mr. Chairman.

Mr. Chairman: Yes, it is.

Mr. Lawlor: Once we are over it, we've probably broken the back. I have three points under section 2; first of all congratulatory to a point, with reserve, with our minimal stance under subsection 4. The processing business, setting it up at the pits mouth, seems unascertainable. The mining assessor has to appraise its value according to a manual. The move forward here that I find palatable, and even laudatory, is the business of getting it under regulation and for the first time getting it out into the public view so that we over here and people interested in the rake-offs that take place in this at least know the extent of the undermining. You can't be blackmailed as much as you normally are—they do it with such grace—by the mining interests through your mining assessors. At least, according to certain prevailing notions of British law, to the extent that we ought to know what it is, you've moved forward in that regard.

Under depreciation, there is an area I don't understand. It is a lengthy section, where you give a 30 per cent cost to the operator on buildings and equipment etc., after April 9. I don't want to read the whole section. It says:

> Where such proceeds exceed the cost of such additions the excess shall be applied to reduce the balance remaining to be depreciated of such assets acquired in previous years; and where no such balance remains to be depreciated, the excess shall be applied to reduce deductions otherwise allowable under this subsection.

I'm not quite sure what that means and perhaps you could tell me. You are using a depreciation base, where the benefits no longer accrue in order to offset it against other taxes. It says:

> and where any such disposal [or getting rid of the assets] is made after the close of mining operations, the tax for the last taxation year shall be reassessed for the purpose of depreciation recovery where applicable.

I'm not quite sure what that final clause means and how it operates either. In these several regards, I would ask the minister for an explanation of how this depreciation is intended to be operated.

Hon. Mr. White: Sir, we have always allowed depreciation at a 15 per cent rate. It seemed to me and my officials to make sense to have parallel provisions of the capital costs allowance schedule published by the federal government, which is used for their corporation income tax and for our corporation income tax. So we moved up to the same rate, namely 30 per cent on a decreasing balance, commencing with the construction of the works rather than the beginning of production of the works, once again paralleling the capital cost allowance approach.

If an air compressor, let us say, costing $1,000 is acquired during the company's fiscal year, $300 may be considered depreciation and an expense for tax purposes. That would increase the expenses of the company by $300 and pull its total tax down by, let's say, $15 to make it easy. If the machine were sold for $800, the $100 excess to the depreciated value of $700 would have to be deducted from the depreciation being claimed by the company on other assets. In this respect, I am perfectly sure it is identical to provisions under our corporations income tax and the federal corporations income tax.

Mr. Lawlor: Yes, depreciation; one type of thing is being offset over against here, and lowering their depreciation base because of the excess funds for the sale of the goods that have come in—fine.

No. 3, on exploration and development expenditures. First of all, I don't know why you have "at least 15 per cent." I don't know why there is any bottom to it. I can see there is no top to it obviously—100 per cent is infinity. I mean, they get the whole benefit of their exploration.

I have two remarks to make about it. The first one has to do with my understanding of Carter, which I shall never let this House forget. Because it was the first time in the history of this country—and I think possibly the western world—where a really sweeping, equitable, socially conscious piece of legislation was introduced, which was scuttled largely by this government.

I don't blame you personally, but you were behind the scenes, hovering about in the corridors like some eminence gris. We had other people here who did a better job of scuttling that Graf Spee than anybody else that I have ever heard of.

In any event, in the federal legislation they have reduced it from 33⅓ down to 25 per cent. That reduction is the impact of Carter. In the second place, they have worked in an earned feature tied in with this exploration business, where you are giving outright carte blanche relief from that particular taxation.

In the case of a company that is brand new on the scene, or an individual, sure, I would be prepared to give them 100 per cent deduction for exploration expenses. But for a company already well entrenched in an operation, there isn't a very great incentive if you cut back on their depletion base. In other words, you say: "You don't get the depletion unless you use moneys derivable from the source in order to do further exploration, etc." You drive them to it. Now you use the carrot. I'm using both carrot and stick, if it were possible.

In other words, it is the whole concept of earned depletion being earned in terms of exploration so that we get the maximum impact and effect upon the various organizations and companies.

Now, as you well know, I want the government at least to participate, and to avoid running up against that recalcitrance, which I think is fairly common in the mining industry, vis-à-vis taxation, to go its own way with respect to the exploration, to finding the new mines, and possibly even to developing them should their resources be sufficently gratifying.

Imagine if you had come up with Inter-

national Nickel 75 years ago. You would have had the bonanza that would have reduced the sales tax to 2.3 per cent.

Mr. Stokes: Or reduce income tax by 10 per cent like Lougheed.

Mr. Lawlor: Or any number of other things. To have kept in our own hands and developed it at that stage would have been a great relief to every citizen of this province. The same is true in the case of Texasgulf. Well, that is water under the bridge and one can only look back with regret because of the purblinded policies of past ministries and their whole approach to these matters. I think there is a greater openness now.

But on this one narrow point—zeroing in on depletion being earned—I would very much like to hear what the minister has to say about that.

Hon. Mr. White: All expenses can be charged against taxable profits, on the supposition that the incurring of such expenses is intended to lead to greater volumes, greater profits and, therefore, greater taxes. So the principle flows from age-old legislation at the federal level which accepts a wide variety, in fact all legitimate expenses against income for tax purposes. This principle remains inviolate in the bill we are offering to the House today.

I think the significant change is that we are allowing this kind of expense to be charged in the inauguration of a new mine, whereas previously it could be charged only against the second of the mines of a company. In so doing we hope to make a new mining venture by a new group, or a mining venture by an established company like Eaton's of Canada, more attractive in a variety of ways, including this particular tax provison.

There are a number of criteria established to keep the matter well controlled within the hands of the authorities, and it might be interesting for some of the members to hear what some of these are.

Five conditions must be met in order to obtain this treatment:

1. The expense must not have been previously claimed.

2. The expenditure must be approved by the mine assessor.

3. The expenditure must not relate to the acquisition of an option to purchase a mine or an option to mine any deposit.

4. The expense must be borne by the operator of a mine liable to taxation.

5. Separate accounts of the expenditure must be kept and provided to the mine assessor in reasonable detail.

To deal with the other part of the hon. member's question, we have introduced the minimum of 15 per cent to prevent a company from accumulating expenses to be charged against large-volume, otherwise high-taxation years so that they will not save up this kind of expense to be charged off against a highly profitable period.

Mr. Lawlor: That was a magnificent answer particularly the first part, but it did not address itself to my question. The question had to do with earned depletion and the principle of earned depletion. My objection is to granting outright and carte blanche benefits or expenses to be deducted with respect to exploration and development expenses of all kinds against the tax base.

I want them to earn those development and exploration benefits if the mine is already in existence. I don't want it to sit in a single mine. I want to give it cause or motivation to expand and to go on with the exploration, and not simply to eat up the benefits already achieved, or to sit on them. I want to give an extra impetus to the corporation by way of saying, "You don't get this carte blanche depletion allowance of 33⅓ per cent off your profits by sheer giveaway unless you do something to earn it. The only ground on which you get your deduction for exploration is if you explore. You can't sit on the assets and take the gravy without doing something of the treadmill work of the Trojans at the same time." This was the principle enunciated by Carter; it is also the principle largely incorporated into federal legislation—and you talk very often of co-ordinating your legislation with federal legislation.

I don't know why you don't accept the sensibility and good sense of the earned depletion concept. You always shy away from it. I suppose your only answer could be, if I may supply you with one, that you think that is the kind of incentive that is gravely needed in the Province of Ontario in order to have them operate at all. I suggest to you that that is not the case, that if they are cut back or their depletion is completely wiped out unless they make these exploratory moves, then you are much further ahead and you've got an expanding, ongoing vital exploration industry operating the thing on the basis of earning those rights. Now, why don't you do it?

Hon. Mr. White: As the hon. member said, it's further incentive for mining industries to explore and develop northern resources, ones that I hope will benefit the member for Thunder Bay.

Mr. Lawlor: That is not very imaginative.

Mr. J. E. Bullbrook (Sarnia): I just wondered, in connection with the original question put to you with respect to depreciation under clause 6, when you get down to the end there if you would help me. Is the minister following me? It says:

> And where no such balance remains to be depreciated, the excess shall be applied to reduce deductions otherwise allowable under this subsection, and when any such disposal is made at any time after the closing of mining operations, the tax for the last taxation year shall be reassessed for the purpose of depreciation recovery where applicable.

Did you understand the minister's response to you, when there were no further depreciable assets? I didn't. Did you understand him?

Mr. Lawlor: Let him answer.

Hon. Mr. White: Again, I gave the illustration of an ongoing company which sold an asset at more than the depreciated value and the recapture of that depreciation for tax purposes. This further sentence in the section deals with a company which has had profits and which has had depreciation allowances chargeable against those profits, and which winds up its affairs and disposes of its assets in a year when there are no taxable profits. The excess of the sale—values received over the depreciated values of the assets—would thereupon have to be charged against a previous profitable period, the tax reassessed and the tax differential paid to the consolidated revenue fund. I know that my answer on depletion allowance wasn't very satisfactory and I am indebted to the member for Lakeshore for providing an answer of sorts. In fact, the depletion allowance comes under the Corporations Tax Act. It is not part of this bill and—

Mr. Lawlor: That's true, I agree. But I just tied it in, that's all.

Hon. Mr. White: —I am not well briefed on the pros and cons.

Mr. Bullbrook: I wanted to make one further comment, more personal and philosophical. Notwithstanding the obligation to collect just taxes, I must say I don't like sections like section 2(b), where the minister is given the power to come to a unilateral decision as to whether the taxpayers is trying to do something to absolve himself of a tax burden. I don't like that type of legislation.

Basically, we would like to operate without any taxation of any kind, but surely there's nothing reprehensible about tax avoidance. I don't like to see such an almost universal power vested in government to designate almost unilateraly and unequivocally—notwithstanding you have given some provisions for appeal to the courts, but I just don't like, as a matter of philosophy, either the Minister of National Revenue or any other minister to be able to say: "You owe this tax, because I say you owe this tax."

Mr. Lawlor: Mr. Chairman, just one word. The associated person concept is rife in contemporary taxation law, generally speaking, as long as it is spelled out and appeal procedures permitted so that arbitrary impositions of the determination of the ministry, that people are associated when they they are not, are carried through, then I can't see any harm in it. The other way around it may even be tax evasion by utilizing, bringing two mines together under one name and playing games with the taxpayers.

Mr. Bullbrook: Well, it would be tax evasion. All right, my colleague from Lakeshore wants to talk about this for a moment. It goes to the court. What has the court got to do with it? That's about as innocuous a section as you would ever find in any statute giving a taxpayer relief to the courts.

What does a court do when it is asked to say whether the minister has been arbitrary or not? It asks what powers he has to exercise. I will read you what power he has to exercise. He comes to his conclusion based on the fact that he decides that one of the reasons for their separate existence is to reduce the amount of taxes that would be otherwise payable under this section.

I continue to say I don't like that kind of law. I don't like that kind of law. We should pass laws with objective criteria that impose a taxpaying obligation upon the citizen and we should say to the citizen: "You must pay those taxes." If the citizen finds it within the statute to avoid the taxes legally, more power to the citizen, I say. I honestly don't like sections that put into some ministerial

official a very, very subjective judgement based on such things as, "You've got to pay the tax because we have come to the conclusion that you are separated for the purpose of avoiding the tax."

That's a 360 degree, almost infamous, obligation placed upon the taxpayer and the citizen.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Chairman, the point is partially well taken from the hon. member's point of view.

We all agree that simply setting up subsidiary companies in order to escape taxation is a most lamentable enterprise. Simply because a fellow starts another mine over here and he's got an already existing one here, or uses fictitious names or any other thing, it's reasonable for the ministry to come along and say: "No, you're one person and that is your gross profits."

Or he has several mines operating under one company and then splits them up into a diversity of companies in order to minimize his taxes. While that may be a perfectly legitimate thing under the law, it ceases to be a perfectly legitimate thing when you say it's not legitimate any longer to do so. I think it's prefectly reasonable in terms of social policy so to do.

I haven't got the full text of the Mining Tax Act in front of me—I didn't think it was necessary today—but I daresay that it doesn't contain the definition of "associated persons," as the Business Corporations Act does. Any number of Acts contain the definition nowaways, including some of your own taxation legislation, and I think it is a deficiency in the legislation we have before us if it doesn't. Therefore at the next closest opportunity you should insert it into your thing, so that the arbitrariness that my friend finds is no longer present, so that the courts will know. Am I wrong about that?

Hon. Mr. White: We have adopted the federal criteria, and the section being debated is the same as that in the federal Income Tax Act.

Mr. Lawlor: Yes, but they've got a definition of "associated persons" in that Act.

Hon. Mr. White: That's what we will be using too. In the regulations the federal income tax criteria apply.

Mr. Lawlor: It is incorporation by reference of the federal legislation. Your intent is ot bring it into line, but you haven't brought it wholly into line.

Hon. Mr. White: We do plan on using the federal income tax criteria for arm's-length companies. Somebody has to make that determination, in this case the minister. There is an appeal as a matter of right, no leave is required, to the Supreme Court and to the Court of Appeal. The regulations, which I have in front of me now, provide the same definition as contained in the Corporations Tax Act.

Mr. Lawlor: That solves it then.

Mr. Chairman: Does section 2 carry?

Section 2, as amended, agreed to.

Section 3, as amended, agreed to.

On section 4:

Hon. Mr. White: On this section there's a minor typographical error. It may not be absolutely essential, but to be on the safe side, I have an amendment.

Hon. Mr. White moves that section 4 of the bill be amended by striking out "4" and "5" in the fourth line, and inserting in lieu thereof, "7" and "8" respectively.

Mr. Lawlor: That's because of the new subsections, eh?

Motion agreed to.

Mr. Chairman: Any other comments or questions on section 4?

Section 4, as amended, agreed to.

Mr. Chairman: Shall the bill be reported?

Hon. Mr. White: Before that's carried, Mr. Chairman, while I fully anticipate having other occasions, just to be on the safe side I want to spend 30 seconds to say what an absolute delight it has been to have some association with my consultant-philosopher, the member for Lakeshore, since, the long hot summer of 1968. It seems too bad, in a way, that we didn't have an enormous fight on this occasion just in case it is the last one. At any rate, he brings some acuity of mind and dedication of purpose to the matter of business before us and I should like to offer him this modest salute, and at the same time say how much I benefit from our personal friendship. He is probably the only socialist in the world that I have ever liked at all.

Bill 111, as amended, agreed to.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

(concluded)

House in committee on Bill 179, an Act to amend the Crown Employees Collective Bargaining Act.

Mr. Chairman: I understand we have some stacked amendments and we are on section 9. Are there any questions or comments?

Mr. E. J. Bounsall (Windsor West): Yes, Mr. Chairman.

On section 9:

Mr. Chairman: The member for Windsor West.

Mr. Bounsall: Thank you, Mr. Chairman. Just at this point we are dealing with what are management rights and what are not management rights. This section of the bill is closely tied in with section 6 of the original bill and section 3 of this particular amendment Act.

There is something I would like the minister to make clear to the House as to what the position is. It seems unless the minister can indicate otherwise, that payment and negotiations with respect to travel allowance have become a part of management rights now. I wonder if the minister could clear this up?

In the House debate yesterday, in reply to the member for Thunder Bay, the minister indicated that an offer had been made on mileage allowance and that offer had not been accepted by the CSAO.

I believe the situation is that the CSAO was offered retroactive mileage allowance back to April and another mileage allowance to take place thereafter, provided that it was agreed that mileage allowance was no longer negotiable. The old section 6 of the Act, and the present section 3 in this Act, clearly states as one of the examples of what is negotiable "the rate payable to an employee for miles travelled when he is required to use his own automobile." That's an example of what is negotiable. Whether or not he is required to use his own automobile, one should be able to negotiate the rate when he does use his own automobile and when he is also obviously required to use his own automobile.

I think during the negotiations you got to a point where in fact you did send out a bulletin saying that employees are no longer required to use their own automobiles, therefore the mileage rate is no longer negotiable because you have lifted the requirement that they use their own automobile. I think the government has to clear this up very clearly and directly.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I will get clarification for you on this point.

Mr. Bounsall: Will we be standing this down until you get it?

Hon. Mr. Winkler: Yes, we might as well.

Mr. Bounsall: This section will be stood down to another point in the bill.

Mr. Chairman: Any further comments on section 9?

Hon. Mr. Winkler: We will come back to it.

Mr. Bounsall: We'll come back to this part of section 9. I would just like the minister's comments on the record concerning 18a of section 9. In clauses 2 and 3, in terms of the Lieutenant Governor in Council appointing the chairman and the vice-chairman and members of the Grievance Settlement Board, the phrase that appears is, "after requesting and considering the views, if any, of each bargaining agent,"—in this case the Civil Service Association, and whatever other bargaining agents represent portions of the workers. Will they, in fact, agree to accept those persons the various bargaining agents have agreed upon?

Hon. Mr. Winkler: Oh, yes.

Mr. Bounsall: It isn't just a consultation with those bargaining agents, whose views and names once submitted would then be disregarded?

Hon. Mr. Winkler: I thought we understood in committee that the list that was provided would be used in the selection.

Mr. Bounsall: This list provided from the various bargaining agents would be those lists used in the selection of people for these appointments. That's fine.

Mr. Chairman: Are there any other comments, questions or amendments on section 9? Would the minister like to answer on that deferred section?

Hon. Mr. Winkler: No, I am going to get him that answer.

Mr. Chairman: Are there any comments on section 10?

On section 10:

Mr. Bounsall: Mr. Chairman, my only comments on section 10 are to ask whether the same answer which the minister gave on section 9 with regard to requesting and considering the views pertains in this section, that the names taken will be from the list provided by the bargaining agents. I assume there is no problem with section 10 as the minister answered on section 9.

Hon. Mr. Winkler: I think we understand one another there perfectly.

Mr. Bounsall: That's fine.

Mr. Chairman: Does section 10 carry?

Sections 10 to 12, inclusive, agreed to.

On section 13:

Mr. Bounsall: Just one other point on section 13 dealing with section 36 of the Act referred to there. I just want to point out, Mr. Chairman, that the tribunal appointed under this section and referred to in this section is given a lot of discretionary power. I refer to subsection 11 of section 13 that says the tribunal may decide to sit in one or more divisions. The tribunal in subsection 13 of this section may make rules governing its practice and procedure and so forth.

I would just like to point out that it's at this point where the tribunal is given large doses of discretion, and ways in which it can make up its own mind as a tribunal in a newly constituted and better form. When we get to another section, Mr. Chairman, I'll refer back to this very good discretionary power that has been given to the tribunal in this particular section.

Hon. Mr. Winkler: Okay, fine.

Mr. Bounsall moves that a new subsection be added to section 13 as follows: "Section 25 of the original Act is deleted."

Mr. Bounsall: Mr. Chairman, I know that the minister is very eager to get into the debate at this time, to lay out his view on whether there shall be a strike or a lockout.

The effect of this amendment that I have would be to delete section 25 under the prohibition section. This section states that the employer shall not cause a lockout and the employee shall not strike. This strikes at the very heart of the Crown Employees Collective Bargaining Act, Mr. Chairman, those clauses and that viewpoint which said "the employees shall not strike."

We believe in this party that the Crown employees should have that right to strike. We feel they should have that right to strike because it is a basic right. It's a right which should not be denied anyone. And for those very few people in the Province of Ontario—none of them Crown employees, in my mind—who do have very good cause for the right to strike to be withdrawn, the viewpoint of Chief Justice McRuer in his report should be followed; that being that if that right is taken because those persons are so necessary to the public good of this province, that there be more than better compensatory clauses built into that Act governing them.

This by and large has not taken place in Ontario. Where that right to strike is taken away, we believe those compensatory measures should be built into that legislation.

But more important in terms of this Act, we are not saying build in very adequate compensatory measures, we are saying the right to strike should be clearly given to the employees. We say so not just because it's a basic civil right, which McRuer commented upon at some length; we say so for two very basic reasons.

Number one, in the whole psychology of the collective bargaining process it is better to have that right so that the employees focus their attention upon the issues in dispute between the two parties and do not get themselves sidetracked into thinking that all their problems result from not having that right to strike. So that meetings don't always keep bringing up, with rhetoric being heard upon, the point that the employees do not have the right to strike.

In point of fact if they have that right, that right will be very carefully exercised, if at all. In the negotiating, and the public meetings with employees, the focus will be on the matters in principle which divide the parties and not beclouded from time to time by the point that they don't have the right to strike which sometimes becomes the overriding issue in negotiations. So it actually helps in reaching the collective agreement if that right to strike is given to employees, and you trust employees to use that provision wisely and not where it is not reasonable to be used.

A strike is a failure of the collective bargaining process to operate effectively. If there is good faith between two sides proceeding to reach a collective decision, then the actual resort to strike will very seldom occur. It need never occur as both sides get to know each other, and bargaining proceeds in good faith on both sides, and both sides aren't trying to score points, one against the other,

or be cute and wiggle around some particular wording which allows them to do something which is not what they would ordinarily do if they were engaged in good faith bargaining.

So if it occurs it represents a failure of collective bargaining. But that right to take that action, should that occur, is a basic right which people should have.

In fact it helps the collective bargaining process. It helps the good faith bargaining. It prevents one side from bargaining in bad faith by simply postponing to get into compulsory arbitration on the issues in dispute when there is some other solution which would solve it, or rather that can be arrived at. They are simply postponing the decision by forcing it to compulsory arbitration.

Secondly, and the minister has heard me hold forth on this before, if one does not have the right to strike, unfortunately this does not solve a strike situation. You simply have a wildcat strike in its place. And that wildcat strike can occur at any time.

If you do not have the right to strike, you have no orderly procedures leading up to the attaining of a position in which you can strike. You then have a wildcat strike in place of what one can call a legal strike, but those wildcat strikes can take place anytime.

The minister knows I have cited as an example in committee the position in England and in Australia where all strikes are wildcat strikes. You have a lot of them. It's a bad system of labour relations which simply allows wildcat strikes to occur, rather than a very set, orderly procedure which leads up to, if necessary, the taking of a strike vote and beyond that, if necessary, a legal srike.

I refer, of course, to the example of the Ford plant in Dagenham, England, during 1963. Out of 260 normal working days, only 83 of those days were strike-free. Not all of those strikes, of course, resulted in plant shutdowns, because you had small groups of employees wildcatting, who didn't shut down the plant. But many of the strikes did. And you only had 83 days which were strike-free out of the 260 normal working days.

Therefore, in my mind any system that does not provide for the right to strike and an orderly procedure leading up to the position where you can strike, is a system which at some point or another will lead to a wildcat strike. When you once have wildcat strikes occurring, it is easier for those wildcat strikes to occur again. You reach a system, as they have in England, where you simply have a series of wildcat strikes which can occur at any time. It is the world's worst situation, in my mind, to proper labour relations and for proper collective bargaining that should be occurring between the employer and the employee.

I would hope the minister would take my amendment in this case.

Mr. Chairman: I would have to state at this time, that the amendment introduces a new principle, and therefore I would have to declare it out of order because the principle of the bill has already been defeated.

Mr. Bounsall: Mr. Chairman, I would like to have some words with you on that matter. In the committee discussions of Tuesday when this came up, there was both a deletion and an addition to another section of this bill. We covered this point with the chairman at the time.

I spoke on it, hoping that he would allow the amendment to stand. In my remarks I said to him I remembered other bills in which deletions were made in those bills that would have substantially affected the principle. He pointed out to me that in his opinion those were in order. It was a deletion and an amendment. Now if a deletion is in order to a bill, then an addition is in order to a bill.

What I have done here, Mr. Chairman, is to move that a section be deleted. Therefore, I have not substituted anything, which was the point in issue on Tuesday. I have moved that an additional clause be added and that clause in itself contains only a deletion.

I would say, Mr. Chairman, that in terms of what we have done in the House previously, I think that is very much in order. I am sure the minister himself would appreciate an opportunity to get into the debate on this particular point as well.

Mr. Chairman: The minister may want to say something, but I have to declare it out of order.

Hon. Mr. Winkler: I'd like to respond very briefly, Mr. Chairman. I believe that the way you've put the situation to the committee is correct. I know what the hon. member is endeavouring to achieve. I believe that on previous occasions we've all made our philosophical positions quite clear. It is, in fact, quite a substantial change, as far as principle is concerned, and I would abide by your ruling.

Mr. Chairman: Yes, it does introduce a new principle into the bill, and I would have to stand by my decision that the amendment is out of order.

Mr. Bounsall: Before we get to section 13 of the bill, Mr. Chairman. The minister will recall that in committee I moved an addition to the bill at this point. It centred on amendments to section 30(i)(c) and section 30(4)(c) of the present Act, which comes before the present section 36, as set out in section 13 of this amendment Act. In this way it would be very clear under the enforcement provisions for individuals that the tribunal would appoint an investigator to inquire into not just the situation where an employee organization acts in a manner that is not best representative of the employee; that's covered by section 28 of the present Act, which also already includes section 35, allowing the tribunal to investigate the situation where a witness's rights have not been protected.

I was very keen that reference also be made to section 27—at least section 27(2)—to make it clear that the employer cannot interfere with employees' rights as laid out in section 27. At that time, Mr. Chairman, I wasn't altogether convinced that the protections for the individual in section 27(2) were adequately covered under section 37 of the Act, which deals with the wide jurisdictional powers of the tribunal to make inquiries, or section 42(5), which deals with the offences under the Act.

If that is the case, I want it very clear for the purpose of the record that rather than make a reference here to section 27 or section 27(2), those same protections in fact are afforded to the employee under the Act through the broad jurisdictional protection of the tribunal under section 37 and the offences section 42(5) in the old Act. I won't place an amendment provided the minister can say and assure the House as he did in committee, that section 27 does not need to be added to section 30 of the Act because there are adequate protections under section 37 and 42(5) that cover all those points in section 27.

Hon. Mr. Winkler: Yes, that's what I said and that's what I meant.

Sections 13 to 15, inclusive, agreed to.

Mr. Chairman: Section 16?

Mr. D. M. Deacon (York Centre): Section 16.

Mr. Bounsall: Section 16.

Mr. Chairman: The member for Windsor West.

On section 16:

Mr. Bounsall moves that section 16 be amended by (1) deleting in line seven of section 49b(1) the word "for" and in the same line, after the word "tribunal," deleting the word "to" and substituting therefor the word "may" and (2) by adding in line two of section 49b(3) the words "grant or" before the word "dismiss."

Mr. Deacon: I also have an amendment, Mr. Chairman. My own motion, I think, would achieve the same thing but perhaps a little more simply. I don't know whether I can get the agreement of the mover to reconsider.

Mr. Chairman: Perhaps we can deal with them separately.

Mr. Deacon: Maybe the amendment is not quite the same. I thought it was.

Mr. Deacon moves that all the words following "tribunal" in line 7 be deleted and the following substituted therefor: "to hold such representation votes as it considers appropriate."

Mr. Deacon: I am not sure whether the member for Windsor West was trying to get the same objective.

....**Mr. Chairman:** Then could we hear the member for Windsor West first?

Mr. Deacon: I will get a copy to him. In effect, what we want to do is to put the Crown employees in the same position as other employees under the Ontario Labour Relations Act. This would give the tribunal the discretion to hear all the evidence and, if it felt that a vote was unnecessary, it would not have to have a vote. I think the minister was going to give some thought to this idea, as he thought it was worthy of consideration.

Mr. Chairman: The member for Windsor West.

Mr. Bounsall: The Clerk has just pointed out I am using the unamended bill. The section to which I am speaking, Mr. Chairman, is 19 rather than 16.

Mr. Chairman: We will change that to section 19, then.

Mr. Bounsall: Yes. I see the amendment to 49b(1) we are achieving the same thing. I think maybe his addition is a little less wordy.

The effect of my amendment would be to make the section read: ". . . make application to the tribunal for recognition as the successor bargaining agent, and the tribunal may conduct a vote of employees to determine if they are in favour of the employee organiza-

tion being granted representation rights as the successor bargaining agent for the bargaining unit concerned." That latter part of it has been replaced with: "To hold such representation votes as it considers appropriate."

That's fine. I think his wording, in essence, makes it a little less wordy than mine and would be acceptable—certainly, acceptable to me—but in the second part, subsection 3, it's important that subsection 3 read: "That the tribunal may grant or dismiss the application or direct that a vote be taken." It's important that that be added as well; that the tribunal, in fact, be given that discretionary power which it must get in both subsection 1, the way I have worded it and the member for York Centre has worded it, and that clearly in subsection 3 it may grant or dismiss the application. In support of this position, Mr. Chairman, we have gone through very carefully a set-up of a new tribunal. I think the way the new tribunal is set up and the way in which the members will be chosen for that tribunal is an acceptable method for both parties.

In previous sections in the bill we have given this tribunal a fair measure of discretion. Using the correct section numbers, Mr. Chairman, in section 13(11) we give the tribunal the discretion into how many divisions it sets and in section 13(13) we give the tribunal complete discretion in making rules governing the practices and procedures and the exercise of power.

Should the matter of successor rights—I am referring now to this section—come before the tribunal, it should also at this point have the discretionary power, first of all, to deny or grant the application, and, having seen the evidence, decide whether or not in their determination, a vote needs to be taken. That's the normal discretionary powers given to the Ontario Labour Relations Board in matters of this sort. I don't trust the tribunal any less than I trust the Ontario Labour Relations Board. It looks to be a well set-up tribunal. I would say to the minister that I would hope he would grant this further discretionary power to the tribunal, as it seems fairly reasonable for them to have such, and in the matter of whether or not a vote should be taken they in their wisdom will decide whether they will or will not grant that vote.

The minister knows all the background as to why this will be necessary. I don't need to go through it here in the House. Let the tribunal decide whether or not they need another vote to be taken, should the corporation form of the CSAO at some time disappear and another form result. Let the board decide whether or not a whole vote of the membership be taken. Let it be to the discretion of the tribunal.

Mr. Deacon: Mr. Chairman, you're amending the first subsection of 49b, in section 19 of the bill, with the wording that I have and in the following one we're using your wording?

Mr. Bounsall: It's perfectly acceptable to me that we take the amendment of the member for York Centre in place of my first motion and let stand the second half of my motion.

Mr. Chairman: You withdraw the first part of your motion?

Mr. Bounsall: And substitute therein the motion of the member for York Centre.

Mr. Chairman: All right. Mr. Bounsall has withdrawn the first part of his motion and accepted Mr. Deacon's motion for the first part.

Mr. Deacon moves to amend section 19 of Bill 179, section 49b(1), by deleting all the words following "tribunal" in line 7 and by adding the words "to hold such representation votes as it considers appropriate."

Mr. Bounsall moves to add in line 2 of section 49b(3), the words "grant or" before the word "dismissing."

Mr. Chairman: We will stack those. Any further comments on section 19?

Hon. Mr. Winkler: I must respond to the hon. member for Windsor West and say that in my humble opinion the government wants to retain within the terms of the Act in this particular subsection the principle that there shall be a vote in the first instance in any event, and we want to retain that principle throughout the balance of the considerations. Further, I would say that I know what he's saying to me. I believe, in any event, where an employee organization feels that they do have that sort of majority to carry them, that I can see no reason why they wouldn't be very pleased to have a vote and indicate beyond a shadow of a doubt that they are the representative organization. The government believes that that principle should remain.

Mr. Deacon: Mr. Chairman, does the minister feel the Ontario Labour Relations Act should be so amended, so that all the employees in the province in any organization would have that requirement as well? Surely

we shouldn't be treating Crown employees different from employees under the Labour Relations Act, with regard to this matter.

Hon. Mr. Winkler: No. There is a difference and we recognize that difference.

Mr. Deacon: What is the difference?

Hon. Mr. Winkler: The difference is that the Labour Relations Board has other discretionary powers in the event of application for certification, which differs substantially from this particular situation. We just believe that this principle should be retained, and I can see no reason why anybody would object to it. Even if I were in the employee organization, I wouldn't object to it.

Mr. Deacon: Then you should change the rest of the Act. Change the Labour Relations Act, if that's the government's view.

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Mr. Chairman, I find it a little difficult to follow the reasoning of the minister on this point. He has been reasonable in most other sections and in committee insofar as every other matter except compulsory arbitration and the right to strike is concerned. He has been reasonable outside of those other sections, and I cannot see why in this section the minister appears to be taking a stubborn position—or worse, a paternalistic one.

Here you've set up your own tribunal—I think all parties agree this is a good tribunal setup—and you give it discretion. Why do you mistrust that tribunal's making up its mind with respect to whether or not a vote be taken of the entire membership having heard an application?

By not agreeing with the amendment placed, this is what the minister is, in fact, saying: "We set it up properly. We give you discretion in a whole bunch of areas, but when it comes to deciding whether or not a vote should be taken of the membership you cannot have that discretion. You can do nothing but order a vote." I find that rather an unusual posture for you to find yourself in.

What is it about your tribunal that you don't like? What is it about the tribunal setup that you would say at this point, "We are not going to give you that discretion. We mistrust you in making a decision of that nature"? Because that is really what the minister is saying if he says he won't accept these amendments.

And if you want to get to the real meat of the matter, I don't know why you are making life difficult for the 60,000 Crown employees over which you have jurisdiction. What you are saying is that the organization working on their behalf, if they wish to go through a de-incorporation or whatever you call it, must take two votes of its membership, one to de-incorporate, or whatever procedure they have to go through there. By not giving the tribunal discretion, the group having de-incorporated and no longer being a group with which you can talk at all—although I presume you would talk informally over those weeks or perhaps months before yet another vote can be organized—you have to say to that group, "You must go back and you must get a ballot in from those 60,000 workers right across the province."

The tribunal might instead look at the unincorporated entity which had represented them in a corporate structure fashion the day before, it having gone through whatever procedures they need to de-incorporate, and say to them: "Look, you are the same group. We believe a vote doesn't need to be taken." Or that tribunal could say to them: "Look, even though it might take a few weeks; even though this is yet another opportunity for you to contact all your members in the province and stir them up against the government of Ontario in other matters at the same time you are contacting them, we feel you should, in fact, go ahead and take that vote."

Why can't you leave that decision to them? Why must you make that employee representative go through the taking of 60,000 ballots or so across the province when the tribunal could well say, "We believe it isn't necessary and that's going to take some time"?

I could be wrong, because I am not a lawyer, Mr. Chairman, but I don't think the two issues can be decided by one ballot. I don't think they can be canvassed at the same time. The CSAO, if it wishes to de-incorporate, can have a ballot for its members to vote on whether or not to de-incorporate, and another part of the ballot saying, "If we do de-incorporate, do you wish to become a member of this organization under its second name?"

I think there would have to be the two different ballots, or at least, a ballot of its entire membership in the second instance. That's an awful lot of energy and time wasted on behalf of the organization representing the civil servants and some energy and time spent by the civil servants deciding

just what they will do in that second instance.

I just can't see, Mr. Minister, why you are being stubborn on this point in seeming to want to make it a little bit difficult for the civil servants in the Province of Ontario on the one hand, and also, on the other hand pretty profoundly not trusting your own tribunal.

Hon. Mr. Winkler: Mr. Chairman, we haven't taken issue with one another yet in this whole debate and the hon. member is going a little far off the deep end by calling me stubborn. As a matter of fact, our communication has, in fact, been extremely good. I think that if there is any stubbornness being shown, the member for Windsor West is being a little bit difficult on this particular point. We've gone over it before. He knows where we stand.

The legalistic aspect, as he said, is not always clear to all of us who are laymen. But I would like to put it this way. As I said before, if I were a member of that organization or if I were a member of the executive of that organization, whether I were sitting here now or sitting over there, in the case in point. I think I would rather have that vote. I disagree with you; in my humble opinion, it could be taken in one ballot. That's not so difficult these days, as we know, from the procedures that were followed all through the fall.

I just simply say to you that it's a principle that we want to retain. I believe it indicates to all concerned that that is their desire, and there is no questioning of that desire if you have that vote and that vote is taken. I agree, as was said in committee, that indeed it is not difficult. They are sure of where they stand with their members. That's great and that's the way it should be, and this will prove it for them.

I say to the hon. member that if I were in that position I would be desirous, at this point in time, of following that course. Certainly, in due course, that might change. I won't stand here and be stubborn; no, I won't. I simply say it's an ameliorating position and I think not a bad one.

Mr. Stokes: You are just going to stand there.

Hon. Mr. Winkler: Now, don't you get into it.

Mr. Bounsall: Mr. Chairman, I must point out, in all fairness to the minister and to the House, this is one of the things he was going to think about between the committee meetings outside the House and the committee meetings here. To use the term "stubborn" perhaps was a little strong at this particular point, that is true. He thought about it and he's come back and kept the original wording in.

Even if one did apply the word "stubborn," I'm not so sure that it's the minister who is being stubborn and it isn't some of his advisers who are being stubborn. In all fairness, I certainly did not want to say that the minister is being stubborn about this point.

But look, here's another point. If you give this discretionary power to the tribunal, and the tribunal, in its wisdom in hearing the arguments—whatever arguments accrue; I suppose it would be only an argument from the employee organization, unless there was an input from the Management Board of Cabinet saying you would hope they would be more democratic, and unless there was that type of other input you would be hearing only one side—let's say the tribunal did decide a vote was not necessary. This does not mean the executive of the Civil Service Association could not say, and would not, in fact, say, "In spite of the fact that we don't have to take a vote, we're going to take this opportunity because it's appropriate, in fact, to find out the feelings of our 60,000 members."

What you're saying is, they have no opportunity to decide that one way or the other. This way they are required to do that. The tribunal can do no other than order the vote; the CSAO has no alternative other than to take it. What I'm saying is, give the tribunal discretion as to whether or not the vote should be held, and then the CSAO can decide, at that point, if they're not required to take it, whether or not they would still take it. It seems that's the sort of decision you would want the tribunal to be involved in.

Even if the tribunal says, "No, you don't have to take a vote," the ball is squarely in the court of the CSAO executive where, for the very reasons that you've outlined, they then have to decide whether or not they would take one anyway. That's not a bad position for them to find themselves in.

Hon. Mr. Winkler: In reply to that, Mr. Chairman, there is some validity to what you are saying; I don't disagree totally with you. But then, I believe this is a huge organization and surely on the question of major changes, major changes within that organiza-

tion, the public servants themselves should have that right to say, "We get here the same way; you don't get here if you don't have a majority vote," and maybe that's what's in my mind at the moment. All I can say to you is, it's a principle we want to retain and, therefore, I'm asking that the clause be left as is.

Mr. Chairman: All those in favour of the amendment as read will say "aye."

All those opposed will say "nay."

In my opinion the "nays" have it.

Shall we stack the vote on the amendments?

Are there any further comments, criticisms or amendments to any further sections of the bill?

Shall the bill be reported?

Mr. Stokes: No, we had a commitment from the minister that he would give some justification for the answer that he gave to me.

Hon. Mr. Winkler: Yes, that is right. You are right. Okay, the fact that the use of a personal automobile is no longer a condition of employment raises a question as to whether or not mileage rates are negotiable. We have not made this a major issue as far as the current situation stands. As a matter of fact, they will be referred to in collective agreements, therefore I can say to you that as far as I'm concerned they will be negotiable to that degree.

Mr. Stokes: They will be negotiable?

Hon. Mr. Winkler: Yes.

Mr. Stokes: All right then, if they will be negotiable, when the job content or the job description requires the use of their own personal car, you are prepared to go back and give them the same rates as those outside of the bargaining unit, as outlined in the manual of administration?

Hon. Mr. Winkler: Oh yes, that is correct.

Mr. Stokes: All right, we have that on the record then; that it is a negotiable item.

Hon. Mr. Winkler: Yes, I indicated to you the other evening that those rates that we offered were exactly the same as are being paid—the ones you referred to—and are retroactive to April 1, 1974, and I think Aug. 1, 1974. Yes, that's correct.

Mr. Stokes: And they will be negotiable in the future?

Hon. Mr. Winkler: Yes.

Mr. Stokes: Fine.

Mr. Bounsall: Just on this point, I think we are very clear on it now, but I think in your remarks you said it wasn't accepted by the CSAO. That's correct. Their reason for not accepting it is that they are under the impression that by accepting it, as well as accepting it at the moment, they would no longer be able to negotiate it, not just for those groups of employees who are required to use their automobiles from time to time but those groups of employees who, in fact, use their automobiles for government business. They want to be able to negotiate the rate for both those groups of employees and it's clear that that right has not been taken away.

Hon. Mr. Winkler: As long as they are using their own cars.

Mr. Stokes: Yes.

Mr. Bounsall: Yes.

Mr. Chairman: There are several questions before the committee, and it was agreed by the committee that the vote would be taken at the conclusion of the discussions on Bill 179.

We are considering several amendments to Bill 179. The first was moved by Mr. Reid of Rainy River, to amend section 3 by adding in the third line of section 6 of the Act, after the words "terms and conditions of employment," the words "including pensions and superannuation."

There was an amendment to the amendment moved by Mr. Bounsall that all the words following "employer" in the second line be deleted.

The committee divided on Mr. Bounsall's amendment to the amendment, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 25, the "nays" are 46.

Mr. Chairman: I declare the amendment to the amendment defeated.

Mr. J. R. Breithaupt (Kitchener): If at this point you would wish to place all of the other amendments, we are content to have the same vote.

Agreed.

Mr. Chairman: I'll read them all:

Mr. Reid moves an amendment to Mr. Bounsall's amendment, to delete from section

9, subsection 17(1b) the word "superannuation."

Mr. Deacon moves to amend section 16 of Bill 179 section 49b(1), to delete all the words following "tribunal" in line 7 and by adding the words, "to hold such representation votes as it considers appropriate."

Mr. Bounsall moves a sub-amendment adding, in line 2 of section 49b(3), the words "grant or" before the word "dismiss."

Mr. Deacon: Section 19.

Mr. Chairman: I'm sorry, section 19.

I declare the amendments lost.

Bill 179 reported.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with no amendments and two bills with amendments and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would like permission at this time to table the answer to question No. 32 standing on the order paper. (See appendix, page 7659.) I must admit that I missed doing it on the orders of the day.

Mr. V. M. Singer (Downsview): Let's have unanimous consent.

Hon. Mr. Winkler: Oh, surely not.

Mr. Singer: The minister didn't ask for unanimous consent.

Mr. Speaker: Do we have that consent

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: The hon. member for Nipissing was about to complete his remarks. Can you do it in two minutes?

Mr. R. S. S. Smith (Nipissing): I will move the adjournment of the debate, Mr. Speaker.

It being 6 o'clock p.m., the House took recess.

APPENDIX

(see page 7658)

An answer to a question was tabled:

32. *Mr. Burr*—Inquiry of the ministry re the HOME project near Little River in the east end of Windsor, Ont.: 1. How much did the land for this project cost OHC? 2. Of how many acres does the project consist? 3. What did it cost OHC to turn this area into fully serviced building lots? 4. How many serviced lots were created? 5. What is the total selling price for the HOME lots? 6. What is the monthly rental for these lots?

Answer by the Minister of Housing:

1. The land including services cost OHC $6,945,000; 2. There are 77.5 acres in the project; 3. See answer to question 1 above*; 4. There are 992 HOME lots in this project; 5. The lots were leased, not sold to purchasers; 6. The monthly land lease rental averages $72.

*N.B.—This parcel of land was purchased fully serviced.

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No. 183



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Thursday, February 13, 1975

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. Speaker: When we rose at 6 o'clock we called the first order. I believe the member for Cochrane South had the floor.

BUDGET DEBATE

Mr. W. Ferrier (Cochrane South): Mr. Speaker, it gives me a great deal of pleassure to enter into this debate. These last three weeks have been rather unusual weeks in the life of the Legislature of this province. I am sure it has interfered with the southern holidays of some of the members, but it has been a southern experience for some of us in northern Ontario in that we have got down to the sunny weather of dear old Toronto and have had a chance to spend three weeks in this place.

I don't want to take too long tonight because I know that we are heading toward prorogation later in the evening. But there are a few things that I wish to bring to the attention of the members in this House, Mr. Speaker. One has to do with the appointment of a health council for my district. I know that a good deal of work has been done by the health people up there and that names have been submitted to the Minister of Health (Mr. Miller). He assured me before Christmas that he had seen the nominations and that the appointment of this health council was imminent. Here we are into the middle of February and this council has not yet been appointed. The critical thing is, of course, that a number of major decisions are not being made.

There is a crisis, as far as I am concerned, in regard to chronic care in my area. A lot of people have to go to Sudbury, Cochrane, Kapuskasing or Hearst to get into a nursing home because the nursing home in Timmins is full. There are about 70 patients in the home for the aged in Timmins who in fact are chronic care persons. I believe it was the member for York North (Mr. W. Hodgson) who stated yesterday that he had to drive 40 miles from his home to visit his father and found that quite a hardship. If you are driving a couple of hundred miles or more it means that there are not too many who are able to see people.

The reason the chronic care situation is not decided is that the minister said to the hospital planning council for our district, "We are prepared to accept whatever recommendations you are prepared to bring forth, provided that they are reasonable." This was a very good move, because the local people could then resolve the matter and come up with a reasonable course of action, and the minister was prepared to co-operate. I appreciated his concern and his efforts on our behalf.

But because there hasn't been a health council appointed, these hospital bodies will not make a decision. They are waiting, putting it off and putting it off, and nothing is done to deal with this problem and other problems in the health care field. So if what I say tonight has any influence on the Minister of Health, I hope that he will make every effort possible to get that council functioning so that we can deal with our chronic care situation. I think it's acute; it's critical.

The member for London North (Mr. Walker), who is the parliamentary assistant, says that we are better off in the district of Cochrane than many because of, I think it is, four beds available per 1,000 population. Yet when we consider the distances I don't think we are nearly as well off as we should be. Even in Iroquois Falls, the hospital council there is now wanting to get approval for a number of hospital beds.

I was going to say something tonight about the home for the aged situation in the district of Cochrane, but there is a little event taking place on Feb. 24 in the courts there, so I think I'll wait till after that matter is resolved before I really deal with it in some depth. I have written a letter to the Minister of Community and Social Services (Mr. Brunelle) and didn't get a reply, and I did write a letter to the person running the home for the aged, Mr. Wiburn, in Timmins, about a complaint that was brought to my attention on Nov. 29. I didn't get a reply from him. I now understand he is in another aspect of the work. But we'll deal with that later on, after that hearing on the 24th. I am sure

there will be some very interesting results come out of that court hearing, which will take about a week.

We are interested, in the district of Cochrane, in getting approval through grants, one way and another, for a number of swimming pools in the district. There is a committee being chaired by Michael J. J. Doodey, who is an alderman in Timmins on the Timmins swim pool committee. What they hope to do is to get a consensus in our area to establish an Olympic-size swimming pool in Timmins and to have a 25-metre swim pool with whirlpool and sauna in areas like Moosonee, Hearst, Kapuskasing, Smooth Rock Falls, Cochrane, Iroquois Falls and Black River-Matheson.

Their brief says that these pools would serve as feeders to the large pool in Timmins where combined events can be accommodated, and there would be television coverage of the events and so on. But from the point of view of health and the teaching of young people to swim and develop, these kinds of pools are very much needed, because the average of swimming days in northern Ontario is 12.5 days, 54 per cent of our teenagers can't swim and ¾ of them want to learn to swim.

Not one northeastern Ontario swimmer, diver or synchronized swimmer is on the Ontario or national team. I could go on and give some other facts, but they will be coming down for assistance through funds that I suppose will be raised from the federal Olympic lottery and, now that we have a provincial lottery, I suppose they will be coming down here. I hope, in conjunction with the member for Cochrane North (Mr. Brunelle), that we will be able to get a good deal of co-operation from this government when this project comes about.

Another thing that is very important to us in the northeast is the matter of transportation. I have asked the Minister of Transportation and Communications (Mr. Rhodes) about the possibility of operating a light-reliable-comfortable (LRC) train between Toronto and Hearst. This is a train that has been developed jointly by Montreal Locomotive Works, Dofasco and Alcan and it has been the subject of a good deal of study, including tests in Colorado, I believe. It will go at least 120 miles an hour, perhaps faster.

I believe the action group of northeastern Ontario has made representations about this train to the Ontario Northland Transportation Commission and perhaps to the Premier (Mr. Davis); I know they met with him in the last month or so. This train would have a great deal of benefit to us in the northeast because, with a little upgrading of the track, a train travelling at 120 miles an hour could get into our part of the province in about three hours and right through to Hearst in four or five hours. It is a very comfortable train and would provide an alternative to air travel because it is almost as fast in many instances, particularly for people along the line.

Now, an election is coming up, and I hope that this will be one of the announcements that the government will make between now and election day—

Mr. A. J. Roy (Ottawa East): They will be making a lot of announcements.

Mr. Ferrier: —because it will take two years after the decision is made to get that train in operation. I would earnestly request the Premier that he push his planners so that he is able to make that kind of a decision. It's a good kind of transportation, it's a well-proven new kind of train and it will be of immeasurable help to all of us, particularly those of us in the area from North Bay up to Hearst.

Mr. J. E. Stokes (Thunder Bay): And low ceilings don't stop trains.

Hon. W. G. Davis (Premier): Right.

Mr. Ferrier: Another matter I think should have some consideration—and I know it concerns the francophone community in my riding—is bilingualism in the civil service. They are not altogether happy with the moves that this government has been making to provide service in their own language in the northeast of the province, particularly where the population is about 45 per cent to 50 per cent French-speaking and they should be able to expect service in a number of the ministries of this government in their own language.

I have been concerned about the community college at South Porcupine. I don't think there has been much effort made to provide courses in French in that college, which is a big college with lots of room. The students from my area who want to take their courses in French at the community college must go down to Algonquin College in Ottawa. It seems a shame, when there is a college with facilities right at home, that they have to go down to Ottawa. Great as the city is, not all the good things come out of Ottawa; they're not all there.

Hon. Mr. Davis: I can think of one or two in particular.

Mr. Ferrier: Yes, I could agree with the Premier. Well, not altogether.

Mr. Roy: I've heard the Premier isn't so popular down there himself.

Mr. H. Worton (Wellington South): And he doesn't even live there.

Mr. Ferrier: I hope the government is looking at my area to see about using either the Porcupine campus or the Kirkland Lake campus, or both, to provide some courses in French. I think the people of those areas warrant that.

Another thing that concerns some of us in our area is that we'd like to see a judicial district set up around Timmins. We're a large city—the largest in that part of the province—and the people who have to go on jury duty have to go up to Cochrane. They may have to drive up-and-back three, or four, or five days. The judge has his seat in Cochrane. He's in Timmins perhaps one day, and then he's over to Kapuskasing or Hearst doing the rounds.

Mr. Roy: And they pay him about, what, eight bucks?

Mr. Ferrier: I don't know. Maybe they pay witnesses that.

Hon. S. B. Handleman (Minister of Consumer and Commercial Relations): He's not interested in money.

Mr. Ferrier: But the thing is that lawyers needing to get in touch with the judge sometimes have a good deal of difficulty doing so. Matters must always go up to Cochrane. It's an inconvenience to the people; it's an inconvenience to the legal profession; it's an extra cost on the people; and I think it's an extra cost on the government.

I don't want to take anything away from Cochrane. All I want is to see that the people of Timmins get a more convenient service. It might be reversing what took place here a little while ago—appointing a second judge for the district—but I think this is a matter that warrants some further study and some real consideration. I know that in the land registry office the same situation prevails—all the transfers of property must go through Cochrane or Haileybury.

Hon. Mr. Handleman: I'm going to Timmins next week, and I'm not going to Cochrane. That evens it up.

Mr. R. Haggerty (Welland South): That's not going to help the minister.

Mr. Ferrier: It doesn't matter where he goes.

Hon. Mr. Handleman: But it evens it up.

Mr. Ferrier: All the people who pass through don't always resolve the problem.

Mr. Roy: In fact he'd be better off not going.

Mr. Ferrier: I'd like to get a commitment from the minister then. When he goes up there, let him talk to some of his people and find out how they view the problem.

I think it would save money and it would be much more convenient to the people there if a judge, and even part of the registry office, could be located in Timmins. So, I hope the minister will take that under advisement and ask some questions. If the minister sees some of the real estate people, the legal people, the municipal people, I'm sure that they will have something to say to him about it.

The final thing that I want to say—and then I think I've said enough, we'll have chances later on in the new session—I would like to see more attention paid by the Ministry of Natural Resources to the fish and wildlife section of the ministry. As things now stand it's sort of the poor cousin. There's less money designated to that aspect of the work than any other, and the people out in the field are very limited in their budget. The number of conservation officers is restricted and people doing fish and wildlife management are greatly hampered by a lack of budget.

If we're going to manage our wildlife, which is very important from a tourist point of view and from our people's recreational point of view, and see that some sound decisions are taken there, that the job is done properly, then I suggest, Mr. Speaker, that the minister has got to give a good deal more priority to that part of his ministry and to strengthen it in budget terms and in personnel terms. We will then have that resource of our province managed much more efficiently and in the way that it deserves to be managed. Then the work that should be done, but which in a number of instances cannot be done because of lack of budget or lack of personnel, can be done in the future and enforcement can be carried out.

I hope the minister and his staff will heed these remarks and when they go to Management Board for a little loosening of the purse strings I hope they will give this a priority. I know those of us in the north, I

know my friend from Thunder Bay, and even the minister himself recognize the need. I would like to see more attention paid to that and, when we are discussing the estimates, I hope we find that that section of the Ministry of Natural Resources has been strengthened and we can find a better job done.

With those few remarks I would like to end my presentation on the budget, Mr. Speaker.

Mr. F. Young (Yorkview): Mr. Speaker, I wonder if I might have the indulgence of the House to point out that the volunteer workers from York-Finch Hospital who have been testing for glaucoma all day here are closing off operations at 9 o'clock. If any of the members still wish they can have their eyes tested for glaucoma in the west lobby. I am sure that the House would like to say thank you to these very valuable ladies who have done the job here today.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you very much, Mr. Speaker. At the outset I would like to take this opportunity to extend my congratulations to you on your appointment and also wish well to the former Speaker, hoping that his health continues to improve, that he does enjoy the sunny south and that he comes back to the province full of vim, vigour and vitality.

I would be remiss if I didn't congratulate the two newly elected members, the member for Stormont (Mr. Samis) and also the member for Carleton East (Mr. P. Taylor) on their recent elections.

Mr. C. E. McIlveen (Oshawa): Where are they?

Mr. B. Newman: Likewise I would like to congratulate those who are promoted to new positions in the ministry, either as ministers or as parliamentary assistants, and—

Interjections by hon. members.

Mr. B. Newman: —so will include many of my good colleagues who were on the select committee on the use of schools.

Mr. Roy: Whether they deserve it or not.

Mr. B. Newman: Apparently any committee that I have been on seems to be the committee from which most of the promotions into the upper echelons take place—

Mr. Roy: The member for Windsor-Walkerville's the boy!

Mr. B. Newman: And that goes back to the original committee, the select committee on youth, where you yourself—were you on it, Mr. Speaker? Yes, you yourself were on it, so you can see that as long as I am on a committee, anyone who is in there has a very good chance of a substantial improvement.

Mr. Speaker, the budget speech gives one an opportunity to range over the whole field of finance, political endeavour and so forth. I would like at the outset to make certain recommendations concerning the operation of the House itself.

There seems always to be some criticism as to whether the 45 minutes allocated to the question period have been used up or not. I would strongly suggest to you, Mr. Speaker, to buy a clock, a sweep second clock, a substantial one, a good big one with four faces on it, so that the people in the gallery, the two sides of the House, and you yourself can see as that sweep second hand spins around ticking off the 45 minutes that are allocated to the question period. Then there will be no reason for any criticism as to whether you are short-changing us or we are taking advantage.

Mr. E. R. Good (Waterloo North): And put the control over here. We should have a bell on each minister too; after three minutes it rings.

Mr. B. Newman: Another suggestion I would make, Mr. Speaker, is to take the Hansard operators and put them up in the gallery where they can have a better overview than from where they are located now, having to turn 'way around to see if interjections are coming from some of the members who happen to be sitting in the corners. I think it would be better if they were up in the gallery—

Mr. F. Laughren (Nickel Belt): We want them close by.

Mr. B. Newman: —and then any interjections made in this House can be picked up from the gallery position.

Mr. Ferrier: They might miss the member's.

Mr. B. Newman: As far as I am concerned, Mr. Speaker, the only interjections that should be accepted are those that are accepted by you. When one doesn't have the floor, is not recognized by you, any remark

made by him really should go into Hansard only as, "an interjection"; but the content of the interjection should not be in.

Mr. Ferrier: They might miss us.

Mr. B. Newman: When one reads the federal Hansard one notices the difference between the two.

Mr. Ferrier: Some members would never get in Hansard.

Mr. B. Newman: A lot of the remarks that are thrown across the floor of the House, Mr. Speaker, wouldn't bother the young ladies there. They wouldn't have to try to find out who made the comment. They would pay attention to what is actually being said and who the individual is who is making the contribution to the various pieces of legislation and/or debates that take place in the House.

Hon. Mr. Handleman: The interjections are the best part.

Mr. B. Newman: Mr. Speaker, I would likewise suggest to you that in the Speaker's gallery only a certain number of tickets be set aside. That accommodation should be there for practically anyone who wishes to come. They should be able to go downstairs and pick up a ticket, and they shouldn't have to be allocated a seat.

Mr. Laughren: Who said housing was an issue?

Mr. B. Newman: There is no reason someone should be sitting at the far end when the centre of the gallery is not used at all. It should be on a sort of first come, first served basis. They're citizens of the province. They pay the taxes. They are entitled to sit in those seats just the same as anyone else. There shouldn't be any selectivity except for special occasions.

Mr. Good: We'll change that.

Mr. Roy: That should apply to the press gallery too. There's nobody up there.

Mr. B. Newman: Another suggestion, Mr. Speaker: I think we should get into the 20th century here and have electronic voting. There's no reason for us standing up and voting and bowing to you. Not that we don't like to bow to you; we find it a real pleasure, Mr. Speaker, except that's an archaic method of operating in the House. If one took into consideration the number of minutes that are wasted in the House through the voting procedures it would probably amount to maybe two or three weeks of a session.

I think, Mr. Speaker, if we had a button on the desk, with sort of a scoreboard up there with our seat numbers; to vote yes we would simply punch the button for the "yes" and it would be recorded; and that could be kept very easily on some type of tape. Other legislatures do this, so there is no reason we in Ontario couldn't get into the 20th century.

Mr. Stokes: About the only exercise members get now, bobbing up and down.

Mr. B. Newman: I would also like, Mr. Speaker, to make another suggestion on the operation of the House. What happened today when the votes were stacked and the voting took place just before 6 o'clock is a nice way of operating. I think any time we are having any type of a division in the House—I shouldn't say any time but most times—the voting on the division voting could take place at, say 5.45 or 10:15, and everyone would know, including members of the cabinet, that they are going to be required to be in the House at 5:45 or 10:15 and they could adjust their activities accordingly. There wouldn't be that waste of time, with whips running around the building attempting to round up members just so the government can look a little more favourable in having won the vote by a substantial number.

Mr. Haggerty: Get the fellows in the back row.

Mr. B. Newman: We know we can't beat the government because the bells are going to ring; and they'll ring and they'll ring up until the time the government has the majority to win the vote. So let's save time by having the votes always take place about 15 minutes before closing time, on a morning session if we have them; on an afternoon session or an evening session; or if you wish any one of the three sessions during the course of the day in the interest of expediting things.

Mr. Speaker, the next comments I want to make are on the plight of municipalities. The municipalities in the Province of Ontario are extremely hard-pressed for the financial wherewithal to conduct their affairs. The Premier and his cabinet have travelled the length and breadth of the province listening to briefs from various municipalities, and I would assume that practically every one of the municipalities made essentially the same point; and that was the need for additional

financial assistance so they can maintain a decent tax structure, a decent mill rate, and at the same time provide necessary services to the communities. Not all municipalities are extremely well off. Some are extremely hard-pressed financially and, as a result, need that additional assistance.

They do that, Mr. Speaker, when it comes to giving grants in the educational field. Certain areas of the province get a higher grant than do other municipalities in the province. The government has a differential there and I think it should probably likewise have that type of a differential for municipalities. But where municipalities are exactly the same, then the grant structure for both should be exactly the same.

We found that funds have always been provided for the development of regional municipalities and regional governments. The government is penalizing areas that do not have regional government. It is withholding funds or not providing them with funds on the same level and to the extent that it is providing them to the regional governments. It is trying to tell those municipalities either to regionalize or suffer.

That is a blackmail approach. That is not a correct approach. If the municipality wants regional government it can, through its elected representatives and the people, make that decision. The decision really should not be imposed here by this government and, at the same time, it shouldn't try to force municipalities into regional government by giving to them additional financial inducements to form regional governments.

Needs in non-regionalized areas are probably just as great as they are in regionalized areas. Municipalities are strapped for funds. Inflation treats them very hard and very roughly. They find that not only supplies and services increase in cost, but there are other things that have a substantial effect on the budgets of the area municipalities. Once a municipality has difficulty in providing services to the area, then one finds that certain types of projects deteriorate to the point where, by the time the municipality can get down to taking care of the project—for example, road construction rather than road repair—it becomes a complete reconstruction of roads in some municipalities. That's by far a more expensive process than simply repairing the road.

Mr. Speaker, in the travels of the cabinet throughout the Province of Ontario, the city of Windsor made a very substantial contribution, in my estimation, to the meetings that were held in London. I would like to put into the record some of the comments from the brief as they were presented to the cabinet.

Large municipalities such as the city of Windsor and the city of London have equal, if not more, responsibilities than some regional governments in the province. The taxpayers are faced with the same increasing costs and their requirements for services are similar to those governed by a two-tier government. The province has seen fit to give substantially more grants to the regional governments and, frankly, there is no justification for this.

The mayor of my community believes that cities such as Windsor with equal responsibilities should receive grants equal to those of regional governments. It appears the basis of the property tax stabilization programme requires changing. There are some obvious inequities that the city of Windsor is a victim of. According to information supplied by the Minister without Portfolio (Mr. White), where he outlined the review of the 1973 and 1974 tax stabilization programme, the city of London was entitled to $6,936,000 in 1973 and $9,476,000 in 1974, whereas the city of Windsor was entitled to only $4,985,000 in 1973 and $5,811,000 in 1974. These figures include the per capita grant, and since the city of London has approximately 32,000 people more than Windsor, it would be entitled to an additional $256,000 as a per capita grant, whereas the differential in the 1974 grants between the two communities is $3.5 million, not $256,000

We in the city of Windsor don t begrudge the city of London additional moneys, but we feel that Windsor should be receiving similar unconditional grants. There is something drastically wrong with a formula that would generate such discrepancies in grants to cities with similar size and similar municipal requirements.

The controls that are placed upon expenditures under the property tax stabilization programme do not take into account the unusual and non-recurring expenses that municipalities are faced with. For example, in 1974, Windsor was required to spend approximately $500,000 in nutrient removal costs, such as purchase of chemicals and so forth, and none of these costs is of a capital nature. This was an expenditure which was generated by the requirement of the Ministry of the Environment, and yet these costs are included in determining our expenditure increase of 1974 over 1973 and could result

in our receiving a lower grant from the province.

It's noted, Mr. Speaker, that despite the urging of the Ministry of the Environment to get on with many programmes, the city of Windsor may not be able to do so in 1975. Even if the city is served with an order to proceed with certain public works, compliance may simply not be possible. The thrust of the argument in this submission is one of finance. Municipalities are obliged to raise some of their funds from tax levies which are both regressive and sharply limited. Federal and provincial funds, on the other hand, are derived from a much wider range of sources far better suited to meet expanding costs.

For example, Ontario's personal income tax revenues have increased at an average rate of 18 per cent over the last five years. In periods of inflation, which we are faced with, when prices and incomes are rising in leaps and bounds, provincial revenues do not increase accordingly without an increase in rates charged to the taxpayers. The municipalities, on the other hand, in order to cope with rising costs of operation must increase property taxes or eliminate essential services.

Mr. Speaker, the province simply must provide the municipalities with more unconditional grants, which will enable the municipalities to keep the tax rate increase to a reasonable level without arbitrarily cutting off basic essential services.

I can also refer to the serious unemployment situation that seems to be emerging in the city of Windsor and which will add to Windsor's difficulties. Many people could be obliged to give up the struggle to meet home payments swollen by further tax increases. Just think of the plight of those living on fixed incomes, those who are retired, and continually finding that the tax rates keep increasing without any assistance to speak of from the senior governments. Many of these retired people would like to stay in their own homes but are so financially pinched that they have no other choice but to sell and go into the rental market.

Mr. Speaker, the second topic that I would like to bring to your attention is that of unemployment. Probably no area in the province is hit as hard as are the municipalities that are associated with the automobile industry—the cities of Windsor, Oshawa and St. Catharines and parts of Toronto, in which substantial automotive development and manufacture takes place. These centres are adversely affected by the recent downturn in employment in the automotive field. I should include Kitchener as one of those cities that has a substantial amount of automobile or parts manufacturing, and it, likewise, tomorrow if not today, will be hard-pressed as a result of the drastic changes that are taking place in the automotive field.

Many of these unemployed persons are having difficult days and they will have more difficult days in the future. Some come along and say "Well, what has the auto worker to worry about? He's on SUB and unemployment insurance and he is getting 95 per cent of his original pay." That isn't true, Mr. Speaker. Some are. Maybe even in some instances many are. But there are also many who don't qualify for the supplementary unemployment benefits.

There are many who have not worked long enough in the plant, they are recent employees in the plant, and these people, in addition to those who may have been unemployed for quite some time and who have undertaken some substantial financial obligations by way of various types of major purchases, either in appliances or in automobiles or in homes, are extremely hard pressed today,

Those who are not on supplementary unemployment benefits, and also some of those who are collecting only unemployment insurance, are finding their financial plight extremely difficult. It was nice to see that the auto centres in the Province of Ontario—at the encouragement of the mayor of Oshawa, I think it was, Mr. Potticary—had banded together in an attempt to convince senior levels of government that they have got to turn their eyes toward the plight of the auto worker and do everything they possibly can to alleviate the position in which not only the worker finds himself but also the municipality finds itself.

The meetings that have taken place as a result of that have come down with some substantial recommendations to senior governments, and I certainly hope the government looks seriously at the plight of the centres I mentioned and attempts to implement some type of work programme. I would look at the vastly expanding housing industry. Practically all of these municipalities are short of housing facilities, and that is one field to which the governments could now turn their eyes. To build substantial amounts of housing in the areas would improve the employment picture in the various communities and the economy of the whole province.

Mr. Speaker, I am sure that you are aware that approximately one out of six or one out

of seven jobs in the Province of Ontario is related, in one fashion or another, to the auto industry. When the auto industry has bad days, then we can rest assured there is a multiplier effect from that difficulty and it spreads throughout the whole economy. We can see what has happened in the United States. Living as I do across from the city of Detroit, we see that in some sections of the city itself the unemployment rate is as high as 25 per cent. Imagine, one out of four people unemployed. In the city of Detroit itself, I think averaging it out, it comes anywhere between 10 and 12 per cent. I don't think it was much worse than that even in the days of the Depression.

This government can do something about that, and I, in one of the question periods, asked it to consider the elimination of the seven per cent sales tax. By eliminating this seven per cent sales tax we would sort of encourage our senior government to follow suit. Let Ontario be a leader and then let the federal government follow. The seven per cent tax could be eliminated from vehicles purchased during a given period of time.

I don't say that we should eliminate for ever the seven per cent sales tax on automobiles. I think the government can set some period of time during which it will not collect the seven per cent sales tax. In this way the federal government, likewise could reduce its sales tax, the 12 per cent sales tax that it has, and between the two we would have roughly a 20 per cent sales tax reduction on automotive vehicles. In this way, Mr. Speaker, we would encourage the purchase of automobiles, and once automobiles sell we will find that the economy moves substantially. Many of us here would consider trading in our cars if the automotive vehicle were 20 per cent cheaper in price than it is today.

At the same time, I think governments can likewise ask industry, especially in the parts manufacturing area associated directly with the auto industry, to give employees substantial discounts if they purchase a vehicle.

This has been tried in the United States. It has worked very successfully in some areas. I would suggest that some of the auto industries or parts suppliers do exactly that same thing in the Province of Ontario.

Likewise, I think the banking industry should come along and, for this given period of time, reduce their lending rates for the purchase of automobiles. It is certainly better for them to be getting six per cent or seven per cent return, or some other per cent return on their money, than nothing whatsoever. If people aren't going to purchase cars, then their money certainly is not going to be loaned out to those who would like to purchase various types of automobiles.

So, Mr. Speaker, I think the government can reduce or eliminate its sales tax for a given period of time. If they wished to put certain qualifications on it, I wouldn't argue with that. Once we do it in Ontario, the federal government would have no other recourse but also to reduce or eliminate its sales tax.

If I am not mistaken, Australia reduced the sales tax on its automobiles by 12.5 per cent, just in the last week or so, in an attempt to encourage the sale of automotive vehicles in that great country on the other side of the world.

Mr. Speaker, in addition to the elimination of the provincial seven per cent sales tax and the federal government's 12 per cent sales tax, the province likewise maybe could contribute the licence plate to the vehicle. In other words, reduce the cost to the individual by $40, the purchase price of the licence plate.

All this would stimulate the purchase of automobiles. It would get our economy moving once again. And maybe the members opposite would be able to smile again, once the economy gets moving. Because, as it is now, there is no chance they are going to come back if they call an election.

I notice my good fried, the member for Oshawa, agreed with me.

Mr. McIlveen: I just think the member is a dreamer, but a very nice one.

Mr. B. Newman: So, Mr. Speaker, in an attempt to spur the economy, I have given a series of suggestions to the government that I hope they can follow and get our people in the automotive field back to work and the economy once more on its feet. And the banks could co-operate by the reduction of interest charges on loans made for the purchase of automobiles.

Mr. Speaker, I have spoken for almost 20 minutes. I have in all 15 different topics I would like to bring up, but I know I may have an opportunity to bring them up in the Throne debate when we meet again, the good Lord willing. But I still would like to bring a few of the topics to your attention.

I was going to talk about the housing needs in the communities, referring specifically to mine. I am extremely concerned about the housing for senior citizens. We have two

classes of senior citizens, and this government has created those two classes.

There is the class of senior citizen who has approximately a $75 a month advantage over the senior citizen who does not live in geared-to-income housing. The government subsidizes those who live in geared-to-income housing, and, God bless them, we are glad to provide this to them and we are glad that these senior citizens have at least a decent place to live. Those that live in geared-to-income housing have their rentals subsidized to the extent of approximately $75 a month.

But think of the other senior citizen who can't get into geared-to-income housing because there isn't sufficient geared-to-income housing in the community. An individual goes and lives in an attic, or he lives in a basement, or he lives in the back of a garage, or he lives in a one-room apartment, or he lives in good accommodations. He has to pay the full amount for housing and his housing charges may be anything up to $150 a month.

The individual in geared-to-income pays approximately $50; the one not living in geared-to-income may pay up to $125.

To me, all senior citizens are entitled to the same level of subsistence. We should be subsidizing the rental payments of those who are living in public market accommodation to the extent of approximating their costs and their subsidy to that of those who are living in geared-to-income housing—and that is approximately $75 a month. The government should pick up $75 of that person's rent, and the person pays the balance.

You can make that kind of an agreement with hundreds of landlords. You say, "Well, you can't go to everyone." What do you mean you can't go? The government can have its housing authorities in the various municipalities throughout the province go into each of these landlords and make some type of an agreement on a lease basis or any basis it wishes to make, so that that person will pay to the housing authority the same amount of rental that is paid by the senior citizens living in geared-to-income housing, the province picking up the balance of it.

The government has to do that because it has created two classes of senior citizens, one that is lucky and one that is extremely unlucky. Let me tell you, Mr. Speaker, you have the same as I, I would say in the course of a week at least eight to 10 calls from senior citizens who are begging to get into some type of geared-to-income housing. They are in desperate straits. Inflation has affected them very very seriously.

You'll come along and say, "Well, they're now on a GAINS programme, and they're receiving $230 a month." That's true, they may be on the GAINS programme; but not all of them are. You'll say, "Well, everyone gets $230 a month some way or another." That likewise may be true, but if one is paying $140 or $150 a month rental he certainly can't have the same standard of living as the one who is only paying $50 a month rental.

The government has to look at these senior citizens who are not able to get geared-to-income housing and it has to accelerate a rent supplement programme for them.

Mr. Speaker, one topic that I really want to get onto is the concerns of the disabled. Some of the disabled make the following comments, and I'm glad to see the Minister of Community and Social Services is here, because the first comments actually relate to his ministry.

There are blatant discrepancies in provincial and federal legislation affecting our disabled population. Among the most unfair is the difference in provisions for those who are disabled by mental retardation and those who are physically disabled. For example, the parents of mentally retarded children are entitled to receive financial aid in the rearing of their child, but no parallel aid is available to the parents of a crippled child. And that's not right. They're both disabled. We should treat them both in the same fashion.

As far as education of the psysically disabled goes, for the mentally retarded special provisions exist that allow for the payment of transportation to and from special schools or daycare centres. No such assistance is available to the physically disabled child; therefore the parents must pick up the costly burden of transportation bills in order to ensure their child receives an adequate education.

In certain circumstances, the vocational rehabilitation services sponsor educational upgrading or retraining and in these cases will also cover transportation costs. However, this is usually available only to the young adult or older physically handicapped person as part of the rehabilitation process, and not to the young.

Under housing there are a number of provincial Acts covering housing for the retarded. No similar legislation exists for the benefit of the physically disabled person, either adult or child.

Mr. Speaker, there are other comments that I could make on the physically disabled,

but I will reserve them for the next session when I talk in the Throne debate.

As my last topic, I would like to bring to your attention, Mr. Speaker, the concerns of deserted mothers. With this being International Women's Year, I think it would be fitting that government pay attention to this and do everything it possibly can to remedy the situation.

Living as I do in a border city, the city of Windsor, there are hundreds of women and children whose husbands and fathers have deserted them and fled across the border, making maintenance or alimony payments extremely difficult to collect. The reciprocal agreement, which is only with the states of Michigan and New York, is not strongly enforced. Most women are not in a position to afford the money to take further court action in these two states. Legal aid recipients are only covered for legal expenses incurred in Canada.

The courts on both sides of the border are slow to act, and very often their laxity allows many a spouse to disappear. Immigration laws permit a Canadian citizen to live in the United States on the basis of a temporary working visa, and they are not concerned with the marital status of that person. As a result, many families are forced to live on welfare, becoming a burden to the taxpayers, even though these men are financially able to support their families. I am sure that all border cities and towns have this same problem.

In view of this situation, the group prepared a petition bearing well over 500 names. Their petition has three resolutions for the attention of the various ministries involved. The first resolution deals with maintenance and support payments:

> Whereas the default of maintenance and support payments creates injustice and undue complications and hardship, be it resolved that in the event of default of maintenance and/or support payments, the onus be on the Minister of Community and Social Services for adequate maintenance and court action under section 6 of the Deserted Wives' and Children's Maintenance Act.

Their second resolution deals with the tracing of delinquent ex-spouses.

> Whereas one of the major problems of enforcement of support legislation is the case of the obligated spouse leaving the jurisdiction, be it resolved that the province, in conjunction with the federal government, arrange access to the provincial and federal income tax returns in order to allow the tracing of the delinquent ex-spouse.

This would be done upon a court order. All information, save the address and employment status, would remain in the confidentiality of the court, but at least the individual could be traced.

Their third resolution deals with reciprocal enforcements.

> Be it resolved that the Province of Ontario and the government of Canada make representation to other foreign states to expand the number of foreign jurisdictions willing to subscribe to the Reciprocal Enforcement of Maintenance Orders Act, Revised Statutes of Ontario, 1970, chapter 403, or any other similar statutes or treaties; and these jurisdictions, as well as those already agreeing to the aforementioned Act, be encouraged to enforce these agreements; and that the Province of Ontario give serious consideration to the providing of whatever support necessary, be it financial or whatsoever toward this end.

Those are the three resolutions passed by the group that is meeting this year in connection with International Women's Year. They have asked that they be drawn to the attention of the government, and especially to the attention of the Minister of Community and Social Services. We hope that he reads this in Hansard and attempts to resolve the concern of the many people that are involved.

Mr. Speaker, I had originally intended to talk at length on the following two items, but I will keep my comments brief. In the city of Windsor there is a threat that the ambulance dispatch services will be moved from the present hospital and located in another area, a move that probably would involve an expenditure of several hundreds of thousands of dollars. Really, it would be a waste of funds when the services are satisfactory where they are.

Similarly, in connection with the plight of the gasoline station operators, we have spoken about that in the House for well over 10 years, and the problem still hasn't been resolved simply because the government refuses to act.

I had intended to make extensive comments on hockey violence. The only comment I would like to make is that the Minister of Consumer and Commercial Relations should use the same system of penalties as far as the playing of hockey is concerned, as

is used in connection with automobile drivers. You accumulate points when you have certain misdemeanours in the driving of an automobile; when you reach a certain number of points, then your licence is cancelled and you have to go through a training procedure and so forth.

The same thing should apply to hockey. If a person accumulates a certain number of penalty points—and the level would be decided by the hockey officials themselves—then his licence to play hockey, so to speak, would be suspended until he pays the penalty for his rough or improper behaviour on the ice. In other words I'm asking the government to adopt in the playing of hockey the principle they have set up in the Ministry of Transportation and Communications in the driving of a motor vehicle.

I was going to talk to the minister and have him make the wearing of headgear in boxing for amateur boxers compulsory. I've been after this minister now for six or seven years, if not longer than that. I have an article showing the brain damage that is caused by the non-use of the protective headgear for amateurs and I think it's time this minister banned any type of boxing in the Province of Ontario by amateurs if protective headgear is not being used.

I also recommend that the government not allow commercial fishing in Lake St. Clair, leave that lake devoted solely to sports fishermen and purchase the licences from the commercial fishermen so that they don't have a total loss in the moneys that they may have invested in fishing gear.

I also have had numerous complaints concerning the price increases of domestic gas purchased from Union Gas in the Windsor and Essex county area. I think, Mr. Speaker, a minimum bill of $2 whether the person uses gas or not is completely wrong and is discriminatory against the person who uses very little gas. It is especially discriminatory against the senior citizen, because he tries to conserve money all the time and he is being billed for $2 whether he uses gas or not.

In fact, a fellow in my riding by the name of Herbert Gladden sent me a bill and said: "I didn't use any gas at all. I've got to pay a minimum bill of $2. In addition to that, they're charging me a penalty of five per cent on something I didn't burn, simply because I'm not going to pay the bill on time." He didn't burn any gas and they're giving him a penalty of five per cent for the non-burning of gas. So what they're telling him to do is waste energy. It's cheaper to waste energy than to save energy.

Likewise, I was going to talk on the difficulty retired municipal employees are having because they have no negotiating power when it comes to improving their pension benefits with the municipality. Just as in the auto industry the union fights for financial benefits for their retirees, I think legislation has to be introduced so that the municipal employees—firemen, policemen, public works employees and so forth—are able to negotiate with their employers for substantial increases or for increases in pension benefits. If it's good in the big three in the auto industry, it should likewise be good in the civil service, be it municipal or provincial.

The last comment that I was going to make, Mr. Speaker, was on the lack of proper legislation as far as the Municipal Elections Act is concerned where the election in the city of Windsor was held over two days as the result of a snowstorm. I had been in contact with the Minister of Treasury, Economics and Intergovernmental Affairs. The night before the election I had the city clerk talk to him and it was unfortunate that the election couldn't be postponed. As a result, I am informed that more than likely the election will have to take place once again, probably in the month of April or May.

Thank you, Mr. Speaker, for listening to my comments. I hope the government of the day will pay attention to them because, if they don't, this is their swan song. Thank you.

Mr. Roy: They won't.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I would like to join with the other members of the Legislature in congratulating the Speaker on his ascension to the throne and to congratulate him, through you, for having done a job of keeping the proceedings of the House within manageable bounds and to congratulate you, the member for York North, for the way that you as Chairman handled the committee of the whole House and hope that you will continue with the fine work for whatever length of time those particular duties continue.

Mr. Speaker: Thank you very much and I will relate that message on to the Speaker.

Mr. Stokes: Thank you. I think we're all too prone in this assembly to take on an air

of confrontation rather than spending a few moments from time to time to say "thank you" when something worthwhile is done—

Mr. H. C. Parrott (Oxford): That's true.

Mr. Stokes: —and I think it would be appropriate for me, Mr. Speaker, to address a few brief comments to the Provincial Secretary for Resources Development (Mr. Grossman) for having taken an active and I think a sincere concern in the plight of one particular community in my riding, namely Armstrong. I'm not going to go on at any great length to detail yet again the problems that they were faced with as a result of the closure of the radar base. But I think it was largely as a result of my representations to him and his resources policy field that he did undertake to co-ordinate provincial efforts—that is, all of the ministries concerned with the problems in the Armstrong area—with the federal government, to at least get things going and give those people a ray of hope for the future.

That has been done. We don't think that the job is completed by any means, but I'm sure that the people of Armstrong appreciate what has been done thus far. As I say, they do have some hope for the future, and with the groundwork that has already been laid I think it is safe to say that they can look on a much brighter future. I would like to take the opportunity to thank the hon. Provincial Secretary for Resources Development for the part that he played in that.

Hon. A. Grossman (Provincial Secretary for Resources Development): Thanks very much.

Mr. Stokes: I would also like him to pass on thanks to one of the ministers in his field, the Minister of Transportation and Communications, for taking an active interest and concern in some of the issues that I've brought to his attention concerning the road conditions in my riding. He has responded in a very positive way to them, particularly on Highway 11 between Beardmore and Geraldton and the conditions on Highway 17 between Ouimet and Marathon, and some of those projects are already under way. On some of them, the bids have been gathered and work is about to proceed. Most of the other major concerns are already on the drawing board and there is a definite commitment to proceed with them as soon as funds are available. So I wish the Provincial Secretary for Resources Development would pass on my thanks, on behalf of my constituents, to the Minister of Transportation and Communications for his efforts on our behalf.

I have only one major topic, Mr. Speaker, that I want to engage in tonight and it is as a result of a seminar that was held recently in Quetico Centre, where the centre gathered representatives from the mining industry, the forest industry, the tourism industry, the service industries and all of the major communities in northwestern Ontario. They concerned themselves principally with the manpower requirements in northwestern Ontario between now and the year 1980 and how we were going to provide the necessary manpower to take care of the development in the resource sector that is on the drawing board and already under way.

It may not be common knowledge to people in this House, but we've got in excess of $2 million worth of development on the drawing board and some of it is in progress. Our primary concern at that seminar was to find out why we were unable to attract a sufficient number of people in order to fill those jobs and projected jobs over the next five years. We came up with some pretty startling facts, and I think for the benefit of those ministers who are going to be faced with the problem of assisting us in finding our place in the sun, the implementation of and indeed improvement on Design for Development and its implementation, I think that ministers of this government are going to have to be in a position to listen to the problems as we see them and join with us in planning to come to grips with those problems.

As we have known for years in northwestern Ontario and as was confirmed by the Quetico conference, northwestern Ontario continues to suffer from the absence of a manpower policy. All the Design for Development rhetoric is no substitute. Jobs exist and are being created, although probably not enough in the northwest. That isn't the central problem. In fact, there are a lot of problems and they are fundamental and basic to the area. This is the way the people participating in that seminar saw it. Communities are unattractive and lacking in adequate housing, roads, shops, hospitals, recreation facilities, sewers and water, etc. So there is little that encourages even northern residents to come to these communities, much less to stay there.

There aren't enough skilled people in the area nor are there adequate training facilities. It's kind of ironic, Mr. Speaker, when we've

got jobs going begging for somebody to fill them. Obviously, the answer is that you try to match up those who are unemployed with those jobs that are available. If you don't have adequate retraining facilities in order to make it possible for those who are unemployed to fill the jobs, such as for heavy equipment operators, heavy equipment mechanics and people who have the skills in order to fill the job, obviously you are going to have, on one hand, a shortage of skilled people and, on the other hand, you are going to have people unproductive, drawing welfare assistance or some form of unemployment insurance assistance. We think this is counterproductive.

There are too many of these jobs that do not offer any kind of satisfaction, thus contributing to destabilizing and high turnover rates. We have some employers who tell us in northern Ontario that there are certain segments of their work force that turn over 300 per cent a year because of the unattractiveness of the jobs. The range of jobs is heavily loaded at the blue-collar end. This means that the young and the educated find that they must go elsewhere to find jobs that offer satisfaction and promotional opportunities. The lure of the southern cities is strong. Here can be found, for instance, all of the amenities so obviously absent in the north. Jobs here are varied and numerous and, because provincial policy is allowing and encouraging the continued expansion of this job market, northern aspirations will continue to be overshadowed.

In the absence of an overall industrial strategy, in the long run we are not going to find our place in the sun as long as we are going to have to compete with places like Haldimand-Norfolk and North Pickering. What you've got too much of down here we don't seem to have enough of up there, Mr. Speaker. We say, what can be done about it?

It is clear that the problems of the north will not be solved without restraining growth in the south. The prospects of this government restraining that growth are bleak indeed in the absence of anything concrete to halt it or reverse it. In fact, the latest provincial planning document proposed to put eight million people in the Oshawa-Toronto-Hamilton megalopolis. That doesn't bode well for the kind of even distribution of economic growth and wealth in the province. There are now roughly 3½ million people in this area. It doesn't take a genius to understand what this means in terms of job creation in the south with this kind of massive employment, increase in roads, recreational facilities, cultural facilities, housing and, in short, all of the things that the north needs so badly.

What this province needs is a clearly defined industrial strategy which will restrain uncontrolled expansion in the south, as well as encourage growth in the north. It must be accompanied by a manpower retraining policy. For example, if we could prevent the development of things like Nanticoke in the south, then the north would have a better chance of attracting both the project itself and the people with skills that suit northern needs. This is the kind of thing that we on this side of the House, and our industrial strategy, would do. The Manpower policy, in the first instance, would deal with the employment problems of the people already in the north.

Participation rates among women and native people are low; that must change. Skill levels are either low or inappropriate; that must change too. Job satisfaction is often poor; working conditions are sometimes bad. Improvements are necessary and possible. Adequate training programmes and facilities must be increased and upgraded to meet the obvious need.

As we over here in this party have always argued, basic services and amenities are a right of residents in every community, regardless of where they may live in this province. By finally providing them to our northern communities, our Manpower policy will be strengthened; northerners would be more inclined to stay in the north; and northern communities would become more attractive to residents of other parts of the province.

Improved living conditions in the north would also help solve another of the north's most pressing problems—the lack of professionals—by attracting doctors, dentists, the kind of skilled engineers, whether they be mechanical, electrical or chemical engineers, who are in short supply, particularly in the mining and in the forestry field at the present time.

Mr. Speaker, I would like to impress upon the Provincial Secretary for Resources Development and the Provincial Secretary for Social Development (Mrs. Birch), it is absolutely essential that they, in co-operation with their colleagues, come up with an overall development strategy for the Province of Ontario, so that when we implement a revised version of Design for Development for northwestern Ontario we will be assured that the kinds of things that we are trying to do in northwestern Ontario aren't hampered by the kinds of things that are going on in the province generally.

If the government doesn't have an overall strategy that says it will try to put a halt to the kind of development that's creating the problems in the south of high cost of land assembly, high cost of building utility corridors, high cost of moving people, the tremendous encroachment upon valuable farmland, all of this kind of development, if unchecked, will continue to escalate and it will continue to cause all of us problems. It's entirely unnecessary if we had that kind of dispersion of the economic growth in areas of the province that are better suited for it, and need it so much more.

If we in northern Ontario are to find our place in the sun, it is going to be as the result of a disincentive to establish in the south. If the government were to provide the kind of incentives that are possible in the north, it would reverse the trend. It would lessen the problems of too much growth down here and would solve a lot of our problems in the north by providing us with the kind of growth that we are capable of achieving.

It all hinges, Mr. Speaker, on what we have come to call the quality of life. There are many things that we can't aspire to in small remote northern communities because we can't achieve economies of scale. We can't aspire to a hospital in every town. We can't aspire to a doctor and a dentist, for some medical clinic in every small town. We can't aspire to an area for recreational purposes in every small town. We can't aspire to a cultural facility in every small town. But we should undertake to provide the kind of development that would enable us to be more viable.

We should be building more growth centres in the north. We have one in Thunder Bay, which is the primary centre, but obviously it can't serve the needs of all of northwestern Ontario because distances militate against it. But by providing economic opportunities in both the primary sector and the secondary manufacturing sector, we would be able to make more communities more viable. We should be providing the basic infrastructure; I am talking about water, sewers, good roads, good educational facilities, good medical and dental facilities, good recreational facilities, and so on. We should also be providing more centres; and I am not saying that we all aspire to have a Science Centre, a Royal Ontario Museum or an Ontario Place.

This government, by its policies, can provide greater viability to many areas in the north, whether they be in Kenora riding, Rainy River riding, my own riding of Thunder Bay, or the riding of Cochrane North, because we all face the same kinds of problems. We think this government should be developing an overall industrial strategy in order for us to implement Design for Development which incidentally is something that has to be looked at continually.

At the conference I was talking about, there was a good many people who traditionally are Conservative in their thinking who said: "Let's destroy Design for Development." I want to tell you, Mr. Speaker, I was standing up trying to defend Design for Development before these people who, as I say, in many instances are traditionalists.

Hon. Mr. Grossman: The member is a Conservative.

Mr. Stokes: Well, maybe I am a conservative, but I don't want to throw the baby out with the bath water. After me coming down here for seven years and arguing for Design for Development, I would be less than honest if I went up there and said, "Let's scrap it." It's an imperfect document, it's an imperfect vehicle, but it's like democracy: you don't throw it out until you have got something better to take its place.

What I tried to prevail upon them to accept was that we should keep it under continual review, because a good many of the things and conventional wisdom upon which Design for Development was based in 1970 have changed.

As I say, we have $2 billion worth of growth on the drawing board, but it's like pulling hen's teeth to get the kind of services we need to attract a sufficient number of people just to go forward with the kind of development that has already been announced and is on the drawing board. This government has to play a very active and significant role in providing us with the necessary services, first of all, to attract people into the north and, once we get them there, to make it attractive enough for them to stay.

Those are the kinds of things I think we have to do, and I don't suggest we can do it all ourselves. We can prevail upon the federal government, through the DREE and Canada Development Corp. programmes, to provide sufficient capital for basic services in much the same way they have already done in Cornwall, and in the city of Thunder Bay to some extent. We think we need more of it.

Hon. Mr. Grossman: Like closing up the bases and everything?

Mr. Stokes: Sure, they have done the same thing at Moosonee. Maybe this government would not have acted any differently. They would probably have done the same thing, but I would hope they would have provided—

Hon. Mr. Grossman: We would have made some arrangements away ahead of time.

Mr. Stokes: Right—to cushion the blow and provide an alternative for them. That's the kind of thing I would hope that any responsible government would do.

I don't want to go on much longer, Mr. Speaker, because I have gone past the time I had hoped to take. I do want to impress upon this government that if they are going to serve the people of northern Ontario in the way that I think they should serve them, they must have an overall industrial strategy so that the kinds of things we are trying to do in the north are not being thwarted at every turn by the kinds of things that are happening in the south and really shouldn't be happening.

The only other thing I want to say is that central to this whole problem is an overall land-use plan for the Province of Ontario. No activity takes place unless you are using some land in some fashion or other. And, of course, what I'm saying is that unless there is an overall land-use plan for the Province of Ontario, it really doesn't make much difference what the government does in overall industrial strategy. They go hand in hand. I think that this government is just kidding itself by allowing this kind of uncontrolled, unplanned development to go forward without an overall land-use plan in the Province of Ontario, and an overall industrial strategy.

In the next two or three weeks they've got some time to sit down with their respective policy fields and think about it. Hopefully, before not too long, they will come to the kind of thinking that I've been trying to bring to this problem over the last several months. Hopefully, we'll reach a consensus and go on to bigger and better things for all of northern Ontario. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, I too would like to add my voice to those who've spoken in congratulating the Speaker, both for his appointment to his office and for the manner in which he has conducted himself in this House. I would ask you, Mr. Speaker, to please convey that to Mr. Speaker Rowe. I'm going to try and be as quick as I can.

Mr. Haggerty: There is all the time in the world; just keep plugging away.

Mrs. Campbell: I will first touch, of course, on the matter of housing, being my area of criticism and my deep concern. I have to point out what to me are abject failures on the part of this government in this field. If we looked at the matter of land banking alone, there is no doubt that this party has been very much in favour of land banking in the past. However, at this point in time we are beginning to ask ourselves the question whether or not it is already too late for land banking to be effective in the way in which we could have hoped it would be.

Certainly, the way in which this government is proceeding in the business is one which is not effective. It's interesting that there are so many people in this province who become very psychic about where the government is going to start the land bank; and it really results in this government purchasing land, in effect, through a middleman. Because somebody gets in there and buys up the land in advance of the government's purchase, we're left to pay exorbitant prices for property. In fact, this government is the biggest land speculator in the business. It is for this reason, perhaps, that it was impossible for the government to define a speculator in its land speculation tax legislation.

It is interesting that in gathering up this land, the government felt it could not possibly trust the local elected members to know something of what it had in mind. It couldn't possibly take them into its confidence, nor apparently is it going to service this land. Surely, even a child can understand that that land has to be serviced if we are going to provide for the housing needs of the people of this province.

To me it is contemptible for the minister to stand up and condemn the municipalities for their failures in this field, when even what he offers the municipality for servicing is not really a fixed price, but up to $600 for sewer connections for municipal purposes.

I am advised that in the Sudbury area, unbeknownst to that municipality, land was acquired by this government and this bank, unplanned, has led to the dragging of feet in approving subdivisions in that area. This brings us to the question of the planning

process. Nothing has been done to try to streamline this costly anachronism, and one wonders whether the recent release of information that the member for Brantford (Mr. Beckett), being the parliamentary assistant to the Treasurer (Mr. McKeough), is now being appointed to the Northumberland task force is an indication that once more planning is going to be gathered again into the fists of the Treasurer of this province.

I suppose the question for the opposition at this time really is: Will the real planning minister stand up? It is no wonder that our processes are costly when we run from ministry to ministry and no one really knows who is in charge. Surely it would be conceivable for this government to try other methods:

(a) To bring the people into the planning process at the very beginning of the process and not at the end of it, and

(b) To shorten planning approvals, having once consulted the people.

We are certainly prepared to bring forth alternatives in these areas. What this government has been doing has been to stumble along, with shifts from ministry to ministry, and with shabby, outworn tools, and these can no longer apply in this province. What we are really doing now is to move behind events which are taking place much too quickly for this government to handle.

While we believe alternatives should be available to the people of the province in the housing field, for obvious reasons at this point in time, many have to live in rental accommodation whether they want to or not. They have no security of tenure, certainly not in this metropolitan area. They are the victims of rental increases which may or may not be justified. Certainly the increases are coming at a time when maintenance is deteriorating. That deterioration is not entirely the fault of the landlord. Part of it is due to the doubling up which is occurring as people try to survive in the rental market.

Mr. Speaker, you know our answer to this problem. We have introduced a private member's bill to deal with these aspects. We do not believe in controls, but we do believe there has to be machinery for review of this kind of situation in this crisis period.

What is the government's policy? It is, "Do telephone us, if you can get through the lines. Do let us know if you have a problem, and we will try to intercede with your landlord." That is probably a good back-bencher's approach when he or she is trying to deal with the problems of a constituent, but it is no answer for a government in these times.

I would like to turn briefly to the matter of health and welfare. This government cannot understand that a human being should not be divided into three parts—two ministries and a municipal department—yet this is still the government's thrust. It does what it can to save hospital costs and, believe me, we're sympathetic to it on that point. Then it moves patients into their own homes, wipes its hands of them from a health point of view and places them on welfare, a part of which is administered through the Ministry of Community and Social Services. But really and honestly the government's approach is still welfare. It's like a rose by any other name but it's still a skunk cabbage in the government's eyes.

People are trying to sort out who is going to give them the assistance that they need, in some cases simply to stay alive. If a woman is married and disabled, she is really a nothing. She's not even a cipher. She has no rights as a person. This is part of the government's great programme for International Women's Year.

The government has shown no concern for, nor understanding of, the part which nutrition plays in the whole field of poverty and the ability of children to achieve. We pointed out that a mother with one child has $1.86 a day each for food, clothing, transportation and entertainment, and the middle-class thinking of this ministry was that that was enough. I suggest that this ministry employ some of the members of the mother-led union to teach that ministry something of the economics of poverty. Then, perhaps, Mr. Speaker, we might be able to effect change.

Again the government has raised the expectations of the parents of the retarded, and there are many needs and varying needs in a community such as Toronto. There are parents who can have their young people in the home with very limited support. There are others who need group homes where they can visit, because there are problems for them in coping with these who really have major difficulties. We need the daycare programmes. We need an expansion, but what have we actually done with this much-vaunted publicity in this field?

I would just like to touch again on the question of the problems of those persons in the community who are asked to receive patients from Ontario Hospitals. Certainly this party favours the de-institutionalizing of such patients. But there must be a programme of preparing a family for the acceptance of such patients and for support when they return to the home. There is no considera-

tion being given to this aspect of the treatment of such patients.

Then we look at education, and I'm going to just touch on one small part of this. In Toronto the schools are basically now becoming new Canadian schools. I'd like to give the House one example. Harbord Collegiate at one time used to be divided between what was classified as British and as Jewish students.

Mr. S. Lewis (Scarborough West): It wasn't divided, it was almost all Jewish.

Hon. Mr. Grossman: Almost 95 to 5.

Mrs. Campbell: All right.

Hon. Mr. Grossman: We were even allowed to be captain of the football team.

Mrs. Campbell: I'm glad I touched a nerve here, I thought I might. Now in that school we have three per cent British, four per cent Jewish and all of the rest are new Canadians. The Ministry of Education takes into consideration none of these problems. I'm advised that the Toronto board will be seeking the right to go to the Toronto taxpayers to obtain an approval of an additional $3 million for programmes to assist the families of those coming into the community. We have tried to ascertain what the advisory committee to the new Ministry of Culture and Recreation has to say in these matters.

Let me give you some of the horrendous things I've come across, Mr. Speaker. First of all, when there were negotiations ongoing with the Minister of Community and Social Services, the Filipino cultural unit in my riding had been promised $10,000 toward that unit. That cheque has never come. I have said, "What do you have to do? Go back and start another round of another year with another minister or where do we go from here?" Oddly enough, the ministry doesn't know either.

When it comes to the matter of the Spanish-speaking people, what the board of education is trying to do and what some of the cultural community groups are trying to do is to prevent family breakdowns. They are approaching this matter on a team basis. But goodness knows where they go. Nobody seems to know and perhaps we have to wait for the lottery for the Spanish-speaking people.

Then there is the lovely, delightful example of the Agincourt community multi-cultural unit. It had been negotiating with the Minister of Community and Social Services and also with the Provincial Secretary for Social Development, I'm led to believe, for about a year. They have said that they were amazed that the latter minister was embarrassed to find out that this too had been transferred to the new ministry and she had not been aware of it. And so it goes with our vaunted projects for assisting people.

I have one last matter that I must touch on. That is this government's paltry commitment to International Women's Year. If there were ever a slogan for it, I would say probably a little dab will do you comes closest to the thinking of this government.

Mr. B. Newman: That's called the Brylcreem approach.

Mrs. Campbell: The government reposes so much confidence in women that it expects them to change the pattern—or does it?—by giving them $1,000 as against the hundreds of thousands of dollars which are given to promote other changes. I think perhaps that's a little too much confidence to put even in women. They always find it so simple, when we deal with matters of equality, to trot out protection to women on the basis of, "Oh, we must be sure that they have equality," but they don't follow through with equality to them. They just use these games to try, I think, to get even with them because they want to be accepted as having a right to equal opportunities.

We have been through the rather miserable debates on the Employment Standards Act, and I am delighted to know that, possibly as a result of the criticism of the opposition, we are now going to find that maybe it's possible that hairdressers and barbers are going to be classified as doing similar work. That's maybe. And then tailors and seamstresses, maybe, are going to be doing similar work and therefore getting equal pay. It's interesting that possibly the hairdresser has greater skills than the barber but that of course will never—

Hon. Mr. Grossman: Now, don't get chauvinistic.

Mrs. Campbell: —ever be considered.

Hon. Mr. Grossman: Don't get chauvinistic.

Mr. Roy: A bit of order there.

Mrs. Campbell: All right, I'll say this: In the Ontario civil service this year we have 35,000 women employees, 75.7 per cent of whom earn less than $9,000, but we have

only 28 per cent of men in the civil service earning less than $9,000. This is a proud record. Wouldn't it be better—and I appeal to the provincial secretary—wouldn't it be better to ensure a decent job evaluation in this International Women's Year than making pretty speeches which really aren't going to change anything.

Mr. Speaker, I'm sorry, I've gone longer than I should have. I had to take issue with some of these things. Thank you very much.

Mr. Speaker: The hon. member for Scarborough West.

Hon. W. Newman (Minister of the Environment): Has the member still lost his voice?

Mr. S. Lewis (Scarborough West): I hasten to inform the Minister of the Environment that my voice will last the course.

Mr. Ferrier: He may lose his head.

Mr. Lewis: Mr. Speaker, I want to depart from the normal budget windup of free-wheeling political invective—I think that is the way budget windups are normally characterized—to deal with but one subject, since I fear I couldn't deal with a great range of them, and to try to put in context, if I could, the asbestos controversy in Ontario, which has swirled about the Legislature and the riding of Scarborough East for the last two weeks. I don't know why the Provincial Secretary for Social Development shakes her head. If she'd like to take the microphone and tell me, I'd be pleased to hear it.

Mr. Haggerty: An important topic.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, I would. I am a little appalled; appalled by some of the tactics of the opposition in exploiting a situation that I think goes far beyond any partisan politics. I am interested in seeing that a conclusion is reached whereby the workers are assured of safe jobs and the community is assured of a safe environment. I am not interested in getting headlines. I am just interested in finding out what the problem is and attempting to do something about it.

Interjections by hon. members.

Mr. Lewis: I endorse that. I too hope that at some point the workers will be safeguarded and the community will be safeguarded. The provincial secretary will forgive me, I hope, for saying to her that I am more than a trifle appalled at the indifference which the government has shown throughout this episode and at the fashion in which it has decided to downgrade and depreciate an issue which is of immense public importance and very great importance to the health and lives of the workers involved.

I am going to try to put it out for the provincial secretary as carefully and as thoughtfully as I can. I quite concede that I feel this issue pretty deeply. I really believe that throughout the piece, except for the occasional adversary exchanges in this House, my own role and that of the media and that of others who have been involved has been consistently responsible. And if it can be demonstrated otherwise then I invite the minister to do so again and she can interrupt me where she feels I am wrong.

Mr. Speaker, let me very briefly remind you of the chronology, one aspect of which won't be familiar to the members of this House because most of them weren't in the committee session.

I was prompted to raise the matter of Johns-Manville partly because of a letter I had received from the widow of one of the workers who died at Christmas-time in 1974, and partly because I had a visit from the president and safety committee of the union, at my constituency service centre, some two weeks ago. I didn't take what they gave me at face value. I checked rather carefully the documentation which came to hand because, like the provincial secretary, I was anxious about putting on the record things which could be wrong, because it is a matter of some enormous anxiety. So I checked everything that I subsequently put on the record.

The sources, of course, were hardly sources that are debatable. One of the matters that has been dealt with publicly, the death of a number of workers was from Hansard in July, 1973, in a statement in answer to a question put forward by my colleague, the member for Sandwich-Riverside (Mr. Burr). The number of workers on compensation came, on Jan. 9, 1975, from the hon. Minister of Labour (Mr. MacBeth) in answer to a question again placed by the member for Sandwich-Riverside. So the particular facts and figures which were used came from the government's documents and the government's reports. The question of the testing levels and the samples were taken directly from the occupational health branch reports, which had found their way to the hands of the workers.

Confident, therefore, that my material was based on valid and objective findings, I in-

troduced it into the debate at the Workmen's Compensation Board committee. The following night, Mr. Speaker, the radio programme "As It Happens" introduced evidence which I did not know of in advance—I read it that night on the tape—and which, in fact, went further than anything which had been introduced in the committee.

The "As It Happens" people had found the study from the Ontario Research Foundation in 1972, testing the asbestos fibres in the air in the school area across from the plant. They then got in touch with Dr. Carnow, a recognized epidemiologist dealing in asbestos in the United States, and asked him for his views on the levels of asbestos fibres. It was Dr. Carnow who said that he thought the levels in some cases ranged 57 times above what he would consider to be a safe level.

Hon. W. Newman: What does he consider a safe level, can the member tell me?

Mr. Lewis: He considers a safe level 1/100 fibre per cubic centimetre, Mr. Speaker; but I will come to that shortly.

I think I am going to be able to introduce evidence into the Legislature tonight which suggests that for asbestos the only safe level is zero.

Therefore, my feelings and those of a great many other people are obviously ones of pretty great concern. I would have thought that in political terms and legislative terms, it's appropriate to raise those matters; that that's the function both of an opposition and a government when there appears to be a matter of immense health hazard or potential health hazard, particularly for the workers in the plant.

An hon. member: There is no question about it.

Mr. Lewis: I don't feel on as firm ground about matters outside the plant, because I don't know enough about it and my reading has not persuaded me enough about matters outside the plant. But, believe me, I have no equivocation on matters within the plant. I know the Provincial Secretary for Social Development represents these workers and I am glad she has finally said something on their behalf.

Mr. Speaker, after the "As It Happens" programme was played and there were questions raised in the Legislature, there was, you will recall, a guarded defence of the company by the Minister of Health.

There was also an assertion that everything was safe from someone in the respiratory and lung disease unit—what was it?—of York county or of East York. It was someone who had done samples. And there was the assistant medical officer of health of Scarborough who said he was satisfied with the findings.

Then there was the question raised of blue asbestos and its particularly aggravating impact. Then the press and the media dealt in some explicit way with a number of case histories of the widows and the workmen involved, seeming, Mr. Speaker, to put on the record pretty firmly that there was a serious problem here; that this wasn't some fantasy we were dealing with; that this wasn't some generalized area we were dealing with; and that it is a very real, human condition.

And then there was the charge of fearmongering. Then there was the evidence of the report linking cancer of the larynx to asbestos, done by Dr. Morgan at the University of Toronto.

Then there was the press conference held by Johns-Manville, who brought in their medical expert, Dr. Paul Kotin; a press conference which I attended although members of the Ministry of Health or the Provincial Secretariat for Social Development didn't see the need to attend.

And then there was the visit this morning to the plant by the Minister of Health. I believe the provincial secretary was there as well, and the Minister of Labour as well; all of them who trooped through the plant.

Now, Mr. Speaker, having mentioned the chronology, I want to make some comments on the events and I hope to introduce some specific material.

First of all, I simply want to emphasize once again, in unmistakable terms, that every single specific piece of information which was put before this House is grounded on the evidence that comes from the ministries themselves.

One of the frustrating things about dealing with matters of occupational disease is that so much of the information is speculative. One of the problems that so many of us had when dealing with silicosis and radiation at Elliot Lake, or the consequences of vinyl chloride, or even of lead poisoning, was that we were always dealing in fragments of this or that.

One of the advantages in this instance, in the ironic sense, was that every piece of information which has been put to this Legislature is grounded on the facts which the ministries have available to them. There is no area for debate. There is no area for dispute. There is no area for argument. The deaths, the compensable victims and the

testing reports are all there in writing; definable.

The question of whether or not a Minister of Health should find his first response to be that of a guarded defence of the company is obviously a different kind of decision. I'm going to talk about that in a different context in a moment.

The community responds in a funny way to these kinds of things, and I've never quite understood it. Maybe it's a difference in visceral reaction. I would have thought that the response which should come to the evidence that mounts in an instance like this, is a response which says, "By God, if there is even one possible iota of truth in all of this, and clearly there is, then what we have to do as a government, and as a community, is to protect the workers and the citizens. And we're going to range every conceivable safety tool we have at our control to do precisely that."

A response which depreciates the problem, or pretends that it doesn't exist, or creates the illusion that there isn't a problem is a response that is so defensive, and in one way so self-destructive, that it's hardly worth talking about. I couldn't get over that assistant medical officer of health in Scarborough, and his mindless acceptance of the fibre counts and their significance, or lack of significance that came to him. Here is a man who admitted publicly that he knew nothing about the problem—he said so, "I know nothing about it. I'm waiting for the information." He pointed out, in a very sage way, that only 40 per cent of the people who were bitten by rabid animals get rabies—a pretty profound observation—in order to reassure the community that only a small percentage of those who were endangered would perhaps have their health impaired. I couldn't believe the kinds of arguments that were brought to hand in order to pretend that there wasn't a problem.

There was a very real problem. And it's reprehensible, I suggest to you, Mr. Speaker, both on the part of the Minister of Health, and tonight on the part of the Provincial Secretary for Social Development, and on the part of the assistant medical officer of health, to make statements which are utterly without foundation in the face of statements which are utterly with foundation. That's what makes the government's position so reprehensible. When it has the evidence arrayed in front of it, absolutely irrefutable, instead of responding by saying the health and safety of the workers are paramount it responds by some kind of senseless defensive mechanism, as though very little was at stake. I happen to agree with you.

The government could have cooled me out, and everybody else, within 24 hours by saying that it would do lung and sputum tests on every one of the workers, by giving the asbestos workers the right to appear before the Ham commission, by saying that the government would enforce its own regulatory standards, by saying that it would check the ambient air in the community and move on the plant if need be. It did none of those things. It vacillated, it equivocated, it played with it, and, finally, the government viewed it as one of those partisan considerations. I don't regard that with respect—don't ask that of me—not in an instance of this kind.

The blue asbestos debate which took place, Mr. Speaker, I want to say to the members opposite, and particularly to the provincial secretary, is also a phoney debate. While I am speaking on this matter I might as well lay out some of the specifics. All of the work that has been done in asbestos about which one can read, about which we know, demonstrates forcefully that whether it's blue asbestos fibres or white asbestos fibres, the effect on the worker is absolutely identical. It may happen more quickly with blue asbestos, but it is a charade to draw distinction, a distinction which the people in the occupational health branch were quick to give to the Minister of Health in the hope that something could be done, in the hope that the public feeling could be deflected by the sudden argument that it was only one facet of the asbestos which was used, and that it constituted only two to seven per cent of the materials in the Johns-Manville plant. Utter nonsense. It raises questions for me about those who work within the occupational health branch.

Mostly I want to say something about the response to the evidence, generally from the Ministry of Health, and from the other ministers and from the government. I want to put it to you as directly as I can, Mr. Speaker, that I was dismayed and saddened by the attitude of the Minister of Health. I do not understand it.

It is no great secret in this Legislature that I am one of those people who is very fond of the Minister of Health. I have had contact with him in the past in a number of ways and have found him immediately responsive to one health problem after another. I did not understand why it was necessary

in this instance to take a head-in-the-sand attitude.

This is a subject in which I have personally interested myself, and I have talked to my colleague, the member for Sandwich-Riverside, who knows much about it, as well as to other members of the caucus. I have a very strong feeling that on the question of environmental and occupational disease in Ontario, this province somehow has not yet grasped the realities. This province has not yet recognized the evidence that has been accumulated over the last 20 years in the United Kingdom and in the United States. This province simply doesn't understand the incredible information that is accumulating about the effect of these poisonous substances in the work place. We are approximately five to 10 years behind in our assessments, our evaluations and the implications which should be drawn from them.

Those gaps occur from time to time in the life of a government. Obviously they occurred at Elliot Lake. There is no one in this Legislature who can deny it. We wouldn't have had the royal commission at Elliot Lake if the occupational health branch of the Ministry of Health and the Ministry of Natural Resources had been reading the material on dust and radiation in the uranium industry. What has happened in the asbestos industry is exactly parallel to that.

I am dismayed by the myopia and the intransigence which is indicated by the Minister of Health. I don't understand why adversary partisan considerations suddenly betrayed the public trust. The Minister of Health has an immense public trust, as everybody else does over on those benches. Scientists are relatively neutral; they chronicle what happens and make their assessment. But the social policy which follows is the policy of a government. The government makes the policy on the basis of the scientific findings; and on the basis of those findings, it measures the costs and benefits in terms of what society will accept and what society won't accept. But the government's policy here is simply unacceptable. It has never recognized what is at stake.

My colleague, the member for High Park (Mr. Shulman), introduced Dr. Morgan's survey on cancer of the larynx and its link to asbestos. I understand from members of the media that the Minister of Health was raising sceptical queries today about that particular study; that it wasn't full enough, not sound enough, not impressive enough.

Let me tell you something, Mr. Speaker: I spoke this afternoon at length to Dr. Irving Selikoff of New York, who is the acknowledged international authority on asbestos. Nobody comes close to Irving Selikoff. He has done every study, every paper; he has participated in every submission on standards.

Dr. Irving Selikoff told me—I didn't know this—that he was the referee on the paper from the University of Toronto and Dr. Morgan, and he recommended its publication. Why did he recommend its publication? Because he found that not only was it statistically sound, not only was it impressive in the use of its scientific analysis, but it exactly corresponded in its findings to those of a group of physicians in Manchester, England, who had used the same methodology and determined the same outcome. He thought, on balance, as a man who is involved in this field, that that gave to the Morgan study immense authenticity.

I am tired, if you don't mind my saying so, Mr. Speaker, of the kind of trivial, defensive response of those in the occupational health branch in the Ministry of Health as they try to give a rationale as a substitute for responding to something as important as these occupational disease matters. The Minister of Health's role is to protect the health and life of the workers. We agree on that. Otherwise he joins the endless list of those who view the health and the life of the workers as expendable.

In all of this, through the whole last two weeks, not once from the Minister of Labour, or the Minister of Health, or the Minister of the Environment, has there come one iota of vigorous and urgent response. It is as though everything is under control. Well, it's not under control. It's not under control at Johns-Manville. I want to say that again tonight and I want to say it with absolute conviction and I'm going to continue to say it, because I think at some point a more legitimate response will be forthcoming from the government.

The Provincial Secretary for Social Development visited the plant this morning and the Minister of Health said it looked like not a bad place. Does she agree with that? Right. It didn't seem to be very dusty or dirty. Does she agree with that? Yes, there may have been a few areas that were no hell but, on balance. it seemed okay. So she left the plant and announced to the world that the plant is not too bad. Because that's what was done. That's what was done. It was in the corridor outside the Legislature after question period. And I'm supposed to believe that that's responsible political behaviour?

I mean, did the Provincial Secretary for Social Development count the asbestos fibres she inhaled as she walked through? Was she aware of the testing? Did she go in with a konimeter and test as she went along? Is she saying that if she went down the Rio Algom mine in Elliot Lake that she would note the radiation in the air and come out and make a statement about a clean bill of health? That's irresponsibility. She goes in without measurements; she goes in without equipment; she goes in without testing. They've got 550 workers who have been working in that plant for several years, some of them for up to 25 years; many of them who are ill; many of them who will become ill—

Mr. J. R. Breithaupt (Kitchener): It was just a social call.

Mr. Lewis: —and on the basis of a sauntering call she placates everything that people are concerned about. That's no answer. It reminds me of when her whole social development branch trooped off, like that little circus that she had—where was it?—up to northwestern Ontario, and she cluck-clucked and tut-tutted her way through the mercury pollution for the Indians in the northwest and she came down and she expressed concern.

Can she tell us what's happened since? Can she give us one example of where government policy is changed? Is she in touch with the group that's doing the testing of the Indians up there? Does she know what the results have been in the last couple of weeks? Of course not. Because, having made the ritual trip she then washes her hands of it. And having made the ritual trip through Johns-Manville this morning, she would like to wash her hands of it.

Well, it's not going to be permitted. The minister doesn't just troop her way through a plant and come out and give it a clean bill of health when she has all the evidence in the world in front of her that it's a fairly serious matter. Why do I say that the minister has all the evidence in the world in front of her? Because she has, and I repeat it for the umpteenth time.

It's not been put on the record of the House; it's the first time that it happens here. She has in front of her the inspection of May, 1973, the testing of January, 1974, the inspection of June, 1974, the testing of December, 1974, and each and every one of those events demonstrated that the safeguards which had been established for the plant, the asbestos levels, were not being adhered to, and the directives which had been issued by the Ministry of Labour and the Ministry of Health to clean up were not being adhered to. Now they may think, collectively over there that that's some kind of trifle, but our contention is that it's a matter of the utmost seriousness, and that every day it is permitted that the levels in that plant exceed even this government's unacceptable regulations, every day we are imperilling the lives and health of those workers. I consider that a statement of fact, of simple, explicit fact, and I don't understand how all of them can sit over there so absolutely sanguine in the face of that fact.

When Dr. Paul Kotin, who is vice-president of health for Johns-Manville, came to the press conference at the Sheraton a few days ago and was asked about the levels in the plant at the various locations, he said in response that he was concerned about those levels. He was concerned about those levels, and he asked one of the other senior people in the plant to answer for them; because as the provincial secretary will recall, a great many of those levels were above the two fibres per cubic centimetre which are permitted. The person who is in charge of testing in the plant, the expert in charge, replied to the press conference by saying: "These tests were conducted over a 15 or 20 minute period. We think they should be conducted over a much longer period. Therefore, we find the tests taken by the occupational health branch as being suspect."

One of the reporters asked him what period the company took its own tests over. The answer was 90 minutes. I asked him: How is it that you've never raised with the Ministry of Health your views of their inadequate testing, since you feel it to be inadequate and it shows you above the threshold limit values?" His response was: "There are no appreciable differences between our testing and that of the Ministry of Health and therefore we have never drawn it to their attention."

In other words, everything that the ministry has found from within its own government testing apparatus is sustained by what the company has found. Now at the press conference, Dr. Paul Kotin, on the payroll of Johns-Manville, said: "Two fibres per cubic centimetre is a takeoff point and anything above it is dangerous, so that one must always move to be below it. But in up to 78 per cent of the locations tested we were above what is considered by the Ministry of Health to be a safe level." Does that make

sense to the ministry? I mean if someone who represents the people who work in that plant says that, does that make sense? That we have their director of health saying it is dangerous above two, and yet that's what they find in 78 per cent of the locations—or, to be more accurate, in 50 to 60 per cent of the locations; the rest being above one, which is above the recommended level set by the occupational health branch. Surely that can't be acceptable to the ministry? Surely that should cause the minister some anxiety? Surely to draw attention to those facts publicly is precisely what this process is all about?

Let me take it a step further, to the occupational health people. I'm having very mixed feelings about this whole subject in the last few weeks. The occupational health people and the Workmen's Compensation Board people are statisticians; they are essentially statisticians. They're graph readers; they're clinical testers; they deal in cases and they deal in numbers. There's no feeling in the reports. There's no sense of what is human in the reports. There's no outrage in the reports. They just note what the situation is. They obviously feel no compulsion. They feel no concern at what they are finding and what their readings show. They just make note of them.

I want to tell you something, Mr. Speaker. I have in my possession now a document, a piece of correspondence between the Workmen's Compensation Board and the occupational health branch of the Ministry of Health which I am going to—what?—reveal or use at the royal commission on mining, the Ham commission, next Tuesday afternoon. It's a document, which I think every member of this House will find horrifying. It's a document which demonstrates how much is known about the dangers to the lives of workers in Ontario and how little is revealed.

I don't know what moral demands one has to make on civil servants, ministers or governments about this kind of information. I don't know whether there is a moral imperative for the government to make it public. I don't know whether civil servants feel they can behave like statisticians forever and repress the stuff forever. The occupational health branch people, I say with regret, simply note on ledger forms, they simply note on graph paper the information that comes to them and they never feel bound to reveal any of it.

I want to suggest to you, Mr. Speaker, why I think it is necessary to reveal it and I'll tell you what I have learned and then the Provincial Secretary for Social Development can make her own judgements and maybe they can be conveyed to the Ministry of Health.

We have a standard in Ontario of two fibres of asbestos per cubic centimetre. It might be of some interest to the House to know how that standard was arrived at. In 1968 something called the British Occupational Health Society published a study of the Turner Brothers Asbestos Co. in Rochdale, England. It was a study based on workers who had been there for a number of years—at least over 10 years—some 290 workers. It was the only plant that had been measuring fibres per cubic centimetre over a great many years. These workers had been working in a level of roughly four to five fibres per cubic centimetre for 10 years or more.

The 290 workers were chest x-rayed. The chest x-rays were looked at by one of the doctors, a Dr. Knox, who was the medical officer of health for the company, and the findings were corroborated by a Dr. Holmes who was the chief engineer of the company, and it was learned that eight of the workers had asbestosis. They felt in 1968, if such a small number of workers had asbestosis on the basis of these findings, that if they lowered their standard to two fibres per cubic centimetre, they could eliminate almost all asbestosis; and that, in 1968, was their recommended level, which the British promptly implemented.

In 1970, Dr. Knox, the doctor for the company, was replaced by a Dr. Lewinsohn who went back to the same 290 men and looked at the x-rays again and found to his astonishment that in the three-year interim, because the x-rays had been originally looked at in 1967, and the report written in 1968, 40 per cent of the x-rays now showed lung conditions, outright asbestosis or pre-asbestosis. Dr. Lewinsohn published a scientific paper indicating that the level of two fibres per cubic centimetre was, therefore, probably suspect. In any event—and I want to emphasize this as strongly as I can—what then emerged was that, even though two fibres per cubic centimetre might be safe, it was safe only for asbestosis; it was not safe for cancer. Now how did that appear?

In 1974 Granada Television in the United Kingdom looked for the 290 men who had been x-rayed in 1970. They found that 26 of the men had died. Many of them had died of lung cancers. Three of them, an almost supernatural percentage, all things considered, had died of mesothelioma, which we

know is a cancer that can only come from exposure to asbestos fibres and is always fatal.

Therefore, the scientific community drew the conclusion that two fibres per cubic centimetre might have some application to asbestosis but had absolutely no application whatsoever to the prevention of cancer.

I asked Dr. Selikoff today, "What is a safe level?" He said, "I don't know what is a safe level. I know that two is not a safe level. I suspect that zero may be a safe level."

He said to me—and here is another matter of interest—that it was his impression, as the leading scientist in the field—he wouldn't acknowledge that; I am stating it—that the plants in the United States were uniformly safer than the plants in Canada. In the United States most of the plants were below two asbestos fibres per cubic centimetre now. And it was known in the industry that even though our standards, or guidelines, were stricter, they were not enforced as vigorously at the moment as they are being enforced in the United States.

Why are the guidelines being enforced so vigorously in the United States? Because in 1971 and 1972 the Secretary of Labor's department held hearings on asbestos, dealing with the Paterson tragedy and the Corning tragedy at Tyler, Texas, which elicited a great deal of testimony.

I want to read you something, if I may, Mr. Speaker, in order to put some things in context. This is from the book, "Expendable Americans," by Paul Brodeur. I could have got the original testimony, but I don't see why I shouldn't crib it. I want to go to the first day of the testimony of the hearings in 1972 and read you just a small portion of the book.

> The hearings had begun by the time I had had some lunch and returned to the conference room. As I took a seat, I saw that Maciborski [a Johns-Manville worker who had mesothelioma] and Dr. Borow [the community doctor in Manville, where the cases of cancer were emerging at the time] had been giving testimony at a witness table at the front of the room—to the right of Goldenberg [the then Secretary of Labor], the hearing examiner, and directly opposite a cross-examination panel consisting of Nicholas DeGregario, an attorney with the Department of Labor's office of the solicitor, and Gerald F. Scannell, acting director of the Occupational Safety and Health Administration's office of standards.

Toward the end of his remarks, Dr. Borow said that he had now encountered 52 cases of mesothelioma in the Manville area, and that all the victims of the disease had worked for Johns-Manville with the exception of two, who had simply lived in the community.

Mr. Speaker: Order, please. I wonder if I could interrupt the member for just one moment in order to see if it's the wish of the House to extend this sitting. I'll entertain a motion to that effect.

Hon. Mr. Grossman moves that the House sit beyond 10:30 o'clock, p.m.

Motion agreed to.

Mr. Speaker: The hon. member.

Mr. Lewis: I don't have much more, Mr. Speaker.

> Dr. Borow and Maciborski were followed at the witness table by Dr. Nicholson, who began his testimony by stating that the health experience of the American asbestos workers could be described only as a national tragedy. Referring to the mortality study Dr. Selikoff and Dr. Hammond had made of insulation workers in the Newark-New York area, Dr. Nicholson reminded his listeners that two in 10 of those men had died of lung cancer, one in 10 of gastrointestinal cancer, nearly one in 10 of mesothelioma, one in 10 of other cancers, and almost one in 10 of asbestosis.
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> "Past standards are not an appropriate standard for occupational exposure to asbestos, simply because all past standards were conceived only for the purpose of preventing asbestosis," Dr. Nicholson continued. "But asbestosis is obviously not the major problem among asbestos workers. Cancer is the major problem. Cancer accounts for 75 per cent of the excess deaths among the asbestos-insulation workers studied by Dr. Selikoff and Dr. Hammond, and this asbestos cancer hazard is not appropriately covered by the proposed asbestos standard."
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> Dr. Nicholson went on to say that no knowledge now existed of a safe working level of exposure to asbestos which would prevent the occurrence of cancer, and he urged that asbestos not be used in the work place except with approved techniques and methods designed to remove asbestos dust from the working environment. "There is evidence that a standard of two fibres per cubic centimetre of air will be inadequate for the prevention of asbestos disease," he said. "The recently

measured long-term exposure of the asbestos-insulation workers, whose disastrous disease experience has been documented by Dr. Selikoff and Dr. Hammond, was approximately three fibres per cubic centimetre, even prior to the implementation of improved control measures."

Now, is it possible for anyone over there to understand what is being said? All of the information which we now have at hand has been based on exposure levels of three or four fibres per cubic centimetre, and what does it show, Mr. Speaker? It shows the following, that for every 100 workers exposed over a long period of time—between 20 and 30 years—to two, three, or four fibres per cubic centimetre, 55 will contract asbestosis, 12 will contract lung cancer and four will contract mesothelioma. What has been demonstrated about asbestos in the United States has application to this country. Our documentation is coming later, but the conditions under which people worked were the same, and if that is the consequence of working at levels between two and five fibres per cubic centimetre, then the level of two is simply unacceptable, and to allow even a fraction in excess of two is morally unacceptable.

The experts say 1/100th. Some say zero. I say to simply—

Hon. W. Newman: What size fibres is the member talking about?

Mr. Lewis: What size fibres? As a matter of fact—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. I. Deans (Wentworth): Don't do this.

Mr. Lewis: As a matter of fact, the minister raises something that is scientifically interesting. I don't want to get into it in detail. All that they measure—

Interjection by an hon. member.

Mr. Lewis: Well, I will if he wants me to. All that is measured are those particles, those fibres that are in excess of five—

Hon. W. Newman: Microns.

Mr. Lewis: —micrograms in length.

Hon. W. Newman: Five microns.

Mr. Lewis: Five microns in length.

Interjection by an hon. member.

Mr. Lewis: Just a second. That's how we establish our standards within the workplace—the fibres that are measured are beyond five microns in length. They don't even begin to account for the fibres that are even smaller. The fact of the matter is that they just don't know how to measure the smaller fibres which are inhaled, so they only measure the fibres which are beyond five microns in length. And on that basis they have found, up until now, that of every 100 workers exposed from 20 to 30 years, Selikoff's projections, based on his studies, are that 55 will get asbestosis, 12 will get lung cancer and four will get mesothelioma.

Suppose he is wrong? Suppose it is only half of that? Suppose it is only a quarter of that? What are we quibbling about? Is it worth the life of one worker? Obviously not. The question then is: Why the defence of measurements which are clearly above the permissible levels set by the ministries? Why is the minister prepared to give Johns-Manville one iota of the benefit of the doubt? Why is he prepared for a second to equivocate or qualify the government's response? I don't understand that. I just don't understand it.

Hon. W. Newman: Well, the hon. member doesn't understand the figures we are talking about.

Mr. Lewis: I think I understand them very well.

Hon. W. Newman: Would he like to hear them? Would he like to hear them?

Mr. Speaker: Order, please.

Mr. Lewis: I think I understand them very well.

What the Minister of the Environment is trying to confuse, perhaps inadvertently, is the question of measurements within the plant and the question of measurements outside the plant, and I know there is a distinction. I beg him to understand I know there is a distinction.

I am dealing with the in-plant reality. The in-plant reality is one of a continuing serious health hazard. I'm not going to get into the philosophic questions with the provincial secretary about matters of value of life—mind you I'd like to, believe me I'd like to—but I'm just putting to the government that the measurements we have suggest that something has to be done by government, other than the kind of muted posturing which has come from a number of the ministers. And I hope that those changes will occur.

Mr. Speaker, I have to bring this to an end. I want to tell the provincial secretary and the Minister of Health that I haven't the slightest, not the slightest, tinge of regret for having opened all of this up. There's been more activity at cleaning up Johns-Manville in the last two weeks than there was in the previous two years. If it's possible to get every one of those location readings down below two, and one day down to a standard of zero, then maybe a number of lives will be saved, and a number of health conditions will be averted 10 or 15 years from now. I do not believe for a moment that anyone should be sanguine about it. I think that all of the evidence that is available from international authorities shows that Ontario is on the wrong track.

There are two responses possible to an issue like this. One is defensive, and the other is vigilant. The government has chosen to be defensive. I'm asking them to throw that rubbish out and to respond in a manner which is positively ferocious when the life and health of the workers are involved. They don't have to feel badly about it.

I concede what the Minister of Health said the other day; it's only in the last few years that occupational health has come to the attention of everyone, and that everyone is beginning to understand its implications. But one doesn't have to be a clairvoyant to know what the future will hold. It's all documented now. It's all laid out. All the statistics and studies are there. There's no more question. The only question is how low do you go?

Mr. Haggerty: The hon. member for Scarborough West is 20 years behind his time.

Mr. Lewis: And when the minister gets some scientific difference, then he opts on the side of caution, opts on the side of caution. Let me tell the Minister of Health while he's here that I put it to him that he should move into the asbestos industry and clean it up in Ontario, and make it a model on the North American continent.

If he wants me to plead with him, I'll plead with him. If he wants me to beg him, I'll beg him. I don't care what it takes to prompt his response.

I know that the ministry can, happily, do health examinations on every one of those men. I had a call today from a doctor at the Sick Children's Hospital who offered to do pulmonaries on every one of the men; because he has some sense, from what he has already seen, that the problem may be far more severe than it is. It is not a doctor I know, incidentally; it came out of the blue. If the minister has members of the medical fraternity offering to do that for him—and he shakes his head as though he knows of him—why not take them up on it? Why not, therefore, do health examinations on the men; reduce the levels in the plant; enforce the prosecutions where they're merited; raise the standards by reducing the number of fibres per cubic centimetre; and end the issue? Make of occupational health something which is central to the life of Ontario, rather than something which is peripheral.

Mr. Deans: Let them prove that they care.

Mr. Lewis: Let them prove that they care, says my colleague from Wentworth. I believe they do.

Mr. Deans: I don't believe they do.

Mr. Lewis: I don't believe it of all the ministers. I want to believe it of the Minister of Health. He knows as he is sitting there jotting his notes that the pattern of disease at Johns-Manville is going to continue. Dr. Paul Kotin, their medical expert, when asked what does the future hold for the workers of Johns-Manville, said with that air of nonchalance that comes with exposure to the macabre, "Oh, more men will die, more men will get asbestosis. These things will go on at Johns-Manville." And he is the medical doctor for the company.

Well, I just plead with the government to bring it to an end in the future, if it cannot be brought to an end now. It is all there for the government to do. Everything that has been put on the record has validity and substance and there is no reason to draw back.

Occupational health in Ontario is a disaster area, and it is time the government moved in and did something about it. I am not offering to the Provincial Secretary for Social Development a response because I really don't want to engage in that. I am putting it to the government that it is really something where there is room to change and all the evidence is before it.

Mr. Speaker: The member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Thank you, Mr. Speaker. I am deeply honoured to be asked by my leader to respond and to close the debate on the motion presented back on April 16.

I do want to join, Mr. Speaker, in wishing you well, as my colleagues have, and saying to you publicly what I have said to you privately, that we do wish you well. We

anticipate—and I am sure you must—that possibly if there is a next session that because of the closeness of events in the following year things will get hot in this House. I must say to you, Mr. Speaker, that we on this side have observed you and you have earned our respect and we wish you well.

We do want to say as well, Mr. Speaker, on this side, a few kind words about your predecessor. It is very easy to say kind words about him. He was a good and kind man and we wish him well on this side of the House.

Mr. Speaker, if I might in opening, I would say a very few and brief words about my riding. I think I should be entitled to say a few words about that riding, because as you know some time back there was some—how should I say this and be kind?—some possibly misguided approach to wiping that riding out. As you know, Mr. Speaker, that situation has been corrected.

I do want to put a few things on the record so that future commissions might not be tempted to do or to suggest what the last commission suggested. I am grateful to the commission. I have said this on the record that they were extremely sensitive, and they were extremely responsive after I got in touch with them.

I do want to point out to you, Mr. Speaker, that I represent a riding which has a whole gamut of individuals. I represent the Prime Minister of this country who resides in the riding. I suppose most of the justices of the Supreme Court of Canada live in that riding. At the same time most of the charladies who are cleaning up Parliament Hill and the messengers on Parliament Hill reside in the riding. And so, Mr. Speaker, I have the whole gamut of individuals in the riding.

I would think that that ridnig is possibly one of the most bilingual of the whole of the country. I would think that 70 per cent of the people living in that riding are in fact bilingual.

Hon. Mr. Grossman: The member is kidding, I will give him a riding where they speak about 25 languages.

Mr. Roy: I am talking about bilingualism. The minister wouldn't understand that.

Hon. Mr. Grossman: That is only two languages.

Mr. R. F. Nixon (Leader of the Opposition): Multiculturalism is his bag.

Mr. Roy: The point I want to make, Mr. Speaker, is that the riding has existed for close to a century, traditionally as a community of French, English—and I even have a Jewish community in my riding. I also have other minority groups, such as Italians and Portuguese. Fortunately, Mr. Speaker, I would think that most of these people are good Liberals as well.

Hon. Mr. Grossman: The member is bilingual too.

Mr. G. Nixon (Dovercourt): The member could be wrong.

Mr. J. E. Bullbrook (Sarnia): With a great member.

Mr. Speaker: Order, please, order. Let the member for Ottawa East have the floor.

Mr. Roy: Thank you, Mr. Speaker. Mr. Speaker, I would point out as well the variety of institutions that are in my riding, including the University of Ottawa. The Prime Minister's residence is there; the National Conference Centre is there. We have a variety of well-known historical buildings in my riding. You've seen many pictures of the Rideau Canal, Mr. Speaker, which also goes through the riding.

I do want to pay tribute to the residents of my riding, who for a number of years, Mr. Speaker, have existed in co-operation and harmony. I feel extremely grateful and I'm very proud to represent this group. I do hope, Mr. Speaker, that there will never again be any suggestion that that community—whether we're talking about Lower Town, Sandy Hill, Vanier, or Overbrook—but that community which has always existed together, that never again will there be a suggestion that community ever be broken up.

Mr. Speaker, I want first of all to deal with the question of unemployment in this province. I want to deal with it because it's part of our motion. I don't think I have to say too much in the sense that the latest figures clearly show that Ontario's unemployment problem, or unemployment rate, is probably rising twice as fast as the national average; and that this government has rejected my leader's call for measures to stimulate the economy and offset the unemployment this winter.

Mr. E. M. Havrot (Timiskaming): How?

Mr. Roy: We wanted some action, Mr. Speaker, and all we got were promises. I recall the Premier's comments in his New

Year's message that we may experience some slight increase in unemployment in 1975. I would think that today he might revise those particular comments.

I want to first talk about a group of people, Mr. Speaker, who are not unemployed; and probably have never been unemployed for the last 32 years. These people, Mr. Speaker, are called friends of the government. We call them Tories in this province. These people don't have an unemployment problem, especially if they happen to be defeated candidates.

Now, I would think working hard for the Conservative Party, Mr. Speaker, is better than investing in unemployment insurance, because with unemployment insurance you would have to continually report to Canada Manpower to prove that you are honestly looking for work. With the Conservatives, all you have to do is run for office or be part of the riding executive.

The favours you can receive, Mr. Speaker, are many and varied. I can mention jobs in liquor stores; contracts; appointments to boards and commissions, advisory committees, councils—just to name a few. I attempted to investigate the membership list of these boards and commissions appointed by the ministries. I thought it would make an interesting game. The research people and myself made it a new game and we called it "patronage."

Mr. R. G. Eaton (Middlesex South): Is that think maybe it's time some of these be research?

Mr. Roy: In fact, Mr. Speaker, it was more fun than playing Monopoly. We would see how many Tories were on the lists and then we would place scores. For instance, we would put five points for a defeated candidate; four points for a former Conservative member; three points for a riding president; two points for a riding secretary; and one point for a well-known Tory. And any one who scored 100 or over got a free invitation, either to the Premier's Christmas party or for a ride with Krauss-Maffei.

I was foiled in my attempts to get a complete list of the members of boards and commissions. I'm told this information must emanate from the Premier's office. So, Mr. Speaker, I wrote a letter to all the ministers on Nov. 20, 1974. I thought it was straightforward. It stated:

> I'm trying to determine who the members are on special purpose bodies of the Ontario government. Could you please send me a list of all boards and commissions falling under your ministry and also the government-appointed members on them. If at all possible, I would appreciate having this information by Nov. 29, 1974.

I expected to speak by then, but we're a few months behind.

I even thanked them in advance for their co-operation, Mr. Speaker. Some ministers—and I will cite which ministers—replied and co-operated. I got answers from the Chairman of Management Board (Mr. Winkler) with his commissions; the Minister of Transportation and Communications sent me the commissions he had on that list; the Ministry of Health, the Ministry of Colleges and Universities and the Ministry of Agriculture and Food responded. The other ministers—including the Solicitor General (Mr. Kerr) and the former Minister of Consumer and Commercial Relations (Mr. Clement)—all referred me to the Premier's office and so I didn't receive any reply from them.

Then I wrote to the Premier's office on Dec. 12 and again I asked for this information—it should be public information—and I asked at that time:

> In response to my letter of Nov. 20 with regard to members on boards and commissions, the Ministry of the Solicitor General and the Ministry of Consumer and Commercial Relations inform me that the information I seek would be handled through the Premier's office. Would you kindly gather and send this information as soon as possible? With kind regards.

I wrote this to Mr. Beeney.

On Dec. 23, I received a reply from James D. Fleck, secretary to the cabinet. I thought the request was quite straightforward and, of course, I was impressed; it's not every day one receives a letter from Mr. Fleck, the highest-paid civil servant in the province. I thought, surely he'll have this information compiled, but he said:

> I've been asked by a number of ministers to see if I would co-ordinate the inquiry which you have made of them for a list of boards and commissions which report to their ministries.
>
> Since there are over 300 agencies of one type or another, the majority of them being advisory bodies established or authorized by legislation, I wonder whether you would let me know in more detail the areas of particular interest. [You can see he's saying, "You are going to have to dig."] The reason I'm suggesting this is

that there are literally hundreds of people involved—[I knew, of course, if we've got 324 commissions in this province we are talking about a lot of people]—and the amount of work required to prepare the membership list is quite substantial. If you could let me know the particular areas of interest, I would be happy to obtain the information as quickly as possible.

I'd written the same letter to all the ministers asking specifically for boards and commissions under their ministries. I thought it was quite clear. I wasn't going to play the game; I thought, I can talk about certain boards and commissions. But I am still concerned that this can happen with letters as straightforward as this, especially when corresponding with a gentleman who is as well paid as Mr. Fleck and especially when I'm requesting information which is public information. I take it that some of these people on the commissions are paid at public expense, and I, as an elected member in this province, would think that this information would not be difficult to get. But I wasn't going to play cat and mouse with Mr. Fleck, and so I thought I'd compile a few names, in any event.

I find it difficult to believe, Mr. Speaker, that the government has such great difficulty in providing me with these names and the appointees. Presumably if people had been appointed to serve on a government board, the government—especially the Premier's office—should have a complete list of their names. These people are being paid with public money and I'm trying to elicit this information about them, and I found it a very difficult task. I think the time has come for the government to stop this cat-and-mouse game it's playing with the opposition and provide us with some answers in a reasonable period of time.

I mention this as well, Mr. Speaker, because we've had questions on the order paper for quite some time—very reasonable questions, I thought. My colleagues, the member for York Centre (Mr. Deacon) and the member for Rainy River (Mr. Reid) have a couple on the order paper and I have some which are very simple questions.

For instance, I've got one here:

Have any private members of the Progressive Conservative caucus been sent outside of Canada on behalf of a ministry or agency? If so, who are the members, what was the nature of their mission and what is the total cost of these projects?

Mr. Bullbrook: Send the member for Scarborough Centre (Mr. Drea) to the Vatican.

Mr. Roy: I thought that was simple enough. That question has been on the order paper for months and has not received an answer. I can tell you, Mr. Speaker, it is going to be placed on the next order paper when we come back in a month or so from now.

But there is a number of other questions. For instance, I've asked the Ministry of Housing if it could provide me with a list of all land purchased by Ontario Housing Corp. since 1968; when was the land purchased; who was the vendor; and what was the purchase price paid? Again, relatively straightforward. One would think they had records of all these things, but we've yet to get the answers on this. I have continually asked the Minister of Housing (Mr. Irvine) for answers and we have not received them.

In any event, Mr. Speaker, I was able to come by a list of these boards and commissions. I certainly don't intend to go through all of them beyond stating there are 324 boards and commissions in this province to which people can be appointed. Assuming there are at least five appointed to each, that means there are something like 1,620 jobs open to political patronage. It seems that it's fortunate that we do have unemployed Conservatives in the province, because it would seem that the brains in this province are limited within that group, because they seem to find their way consistently and continually on these boards and commissions.

I went through the list and even found some of the boards and commissions to be questionable; for instance, the Hospital Appeal Board. I note that the Minister of Health is not here, but this board has been established now for some number of years and only four cases have been heard by the appeal board. And now the doctors are not even bothering, after the experience of Dr. Martin Schiller.

The reason is obvious and we've seen it. Appeals can be made from decisions of this board and hospital boards which have unlimited funds can swamp any individual, including an individual who is a doctor and making the money that doctors are in this province. We feel that this is one board where, if it is going to have any merit at all, the decision must be final and not subject to appeal.

I would like to question some of these commissions. I just want to mention some of the more interesting ones to you, Mr. Speaker. The Minister of Agriculture and Food (Mr.

Stewart) supplied a whole list of commissions and committees. I would like to know why we need, in this province, two of these committees—one that is called the Artificial Insemination of Livestock Advisory Committee and the other one called the Artificial Insemination of Livestock Licence Review Board.

Hon. Mr. Davis: Let him ask his leader.

Hon. Mr. Grossman: That has pregnant possibilities.

Mr. Eaton: The member doesn't know because he is not concerned with agriculture.

Mr. R. F. Nixon: What's that? What's that matter? Speak up.

Mr. Roy: Maybe the parliamentary assistant can answer this. What does the Pregnant Mare Urine Licence Review Board do? Do they publish reports? I note there are other boards called the Soldiers' Aid Committee, the Sulphur Dioxide Committee, the Inborn Errors of Metabolism in Children Advisory Committee, the Maternal Deaths Advisory Committee, the Geographic Names Board—and I could go on.

I just want to say, Mr. Speaker, over a number of years there has been a fantastic accumulation of boards and committees. I think maybe it's time some of these be reviewed.

I might state, Mr. Speaker, that when we are talking of members having jobs or of people on boards that I've looked at on a list here—I certainly don't intend to go through all of it—I do want to mention some interesting people on these boards.

An hon. member: Shouldice?

Mr. Roy: The first one is one which is very close and which we've heard about quite recently in the by-election in Carleton East. Bert Lawrence is now chairman of Heritage Ontario. That was the legislation we passed here. His elevated status, his seniority and the money that goes with the job were clearly the sine qua non or whatever you might call it—

Mr. R. F. Nixon: Quid pro quo.

Mr. Roy: Quid pro quo is the right term, my leader says.

Mr. R. F. Nixon: What's the sense of being a teacher if you can't quote?

Mr. Roy: We talked about that during the by-election, about what Bert Lawrence had been given, or offered to resign, or how he'd been pushed out to make room for Pierre Benoit. Fortunately, the electors of Carleton East probably asked the same question and were not satisfied by the response received from the government.

Mr. R. F. Nixon: They didn't like what the Premier did to Bert.

Hon. Mr. Davis: The member for Ottawa East doesn't have to look up to the gallery that way. They are hanging on every word of this important budget address.

Mr. Roy: The Premier wishes they would do the same for him.

Hon. Mr. Davis: I am. I am hanging on every word.

Interjections by hon members.

Mr. Ferrier: The Premier's told them, hasn't he?

Interjections by hon. members.

Mr. Good: The Premier doesn't like this.

Mr. Roy: I can talk about other individuals on this list.

Mr. Good: It's really getting to him, eh?

Hon. Mr. Davis: Regardless of what the leader of the New Democratic Party said tonight, I'll tell the member this, that at least he was interested in something.

Mr. Good: The Premier doesn't like this.

Interjections by hon. members.

Mr. Roy: Is that the new fighting image? The fighting Premier?

Interjections by hon. members.

An hon. member: A coming-out party.

Mr. G. Nixon: Go to Ottawa and dig up more names.

Interjections by hon. members.

Hon. Mr. Davis: When did the member for Ottawa East do his last drug prosecution?

Mr. Roy: The last drug prosecution, I can put it clearly on the record, was prior to my election in 1971. And if the Premier wants to check that up and start throwing innuendo, he can just check it up himself.

Hon. Mr. Davis: I tell you, Mr. Speaker, the Liberals are the last ones to talk about this, the last ones.

Mr. Roy: Let's just talk about some of these lists. Let's just talk, Mr. Speaker, about some of the people on these lists.

Mr. Good: People are wising up.

Mr. Roy: For instance, I noticed after Bill Neville was defeated in the federal election, right away he ended up on what was called the Ottawa-Carleton district health council and now he has a job with the national leader.

Hon. Mr. Davis: Murray McBride.

Hon. Mr. Grossman: Where do the defeated Liberals go?

Hon. Mr. Handleman: What happened to Murray McBride?

Mr. Roy: I notice here another fellow in the Ottawa area, a well-known Conservative, Aubrey Moodie, is on the Ontario Water Resources Commission.

Mr. R. F. Nixon: We see Aubrey up here quite a bit. Great fellow.

Mr. Roy: I can go on. I thought that one of the fellows I—

Mr. Lewis: Most defeated NDP candidates are still looking for work.

Mr. G. Nixon: Right on.

Mr. Roy: That's right.

Interjections by hon. members.

Hon. Mr. Handleman: They are out in British Columbia.

Mr. Roy: You know, we can talk about Barry Lowes, William McMurtry, Michael Starr, George Gathercole, John Robarts.

Mr. R. F. Nixon: I keep getting letters from Barry Lowes.

Mr. Roy: I could go on. I have lists; I have list after list, Mr. Speaker.

Mr. G. Nixon: Let's go to Ottawa.

Interjections by hon. members.

Mr. Speaker: Could we come to order just for a few minutes to let the member for Ottawa East finish his address on the budget speech?

Mr. Parrott: It's not worth it, Mr. Speaker.

Interjections by hon. members.

Mr. Roy: Thank you, Mr. Speaker. There is one fellow I'd like to mention because the Premier will be interested in talking to him. He is going around Ottawa saying that he is going to be the fellow running against me in the next election, Des Bender.

Mr. G. Nixon: Good for him.

Hon. Mr. Davis: Who is it?

Mr. Roy: The Premier put him on the Family Benefits Review Board—Des Bender. He is going around Ottawa saying he is going to be the next Conservative candidate running in Ottawa East.

Mr. R. F. Nixon: The Premier knows him.

Mr. Roy: I hope the Premier talks him into it, frankly. I hope he is the individual who is going to run.

In any event, Mr. Speaker, I could go on. I have got a long list here.

Mr. McIlveen: Don't bother.

Mr. Roy: I don't like to antagonize the Premier of the province and embarrass people. But in any event, I have it here and it makes for very interesting reading.

Mr. Speaker, one of the areas of which we have been extremely critical is the failure of this government to curtail the escalating cost of health. Of course, as we see a succession of ministers we see rhetoric, we see threats, we see ministers making promises, and yet there are very few results.

This year again, with the new Minister of Health, we have seen him going around the province saying that he is concerned about the escalating health costs, and yet apart from the fact that there is some talk about limitations on foreign doctors, we have yet to see any acceptance of basic or major plans to curtail the cost of health in this province.

Of course, we are extremely concerned, Mr. Speaker, because if the government does not curtail health costs and keeps having the deficit in its budget that we have seen over the last three years, it is into a situation where it does not have money for an alternative programme, either in health or in other areas of the province.

Mr. Speaker, how many reports do we have? The latest is Mustard, and I could go on and on. We have seen the former minister (Mr. Potter) talking about a constraint package. We have never seen that yet. So we have made suggestions to the minister. I recall in the estimates over the last three years we have made submissions

or suggestions to the Minister of Health as to how he can save in the area of health.

For instance, while looking at today's Globe and Mail I see an ad placed here by the doctors. It states: "The doctor who looked after your child's appendicitis, who delivered your wife's baby last month, who is checking your heart tomorrow just got a four per cent raise."

We agreed with the Minister of Health. In fact, we sent a letter to the doctors congratulating them for the responsible attitude and position they took in keeping within the guidelines that they had agreed to with the province and accepting the four per cent raise. But on the other hand, we are concerned, Mr. Speaker—and I am addressing this to the Minister of Health—that there is apparently some talk or some movement afoot by the doctors across the province regarding some kind of attempt or organized approach to opting out of OHIP and billing the patient directly. We are concerned about this, Mr. Speaker. When the doctors talk about a four per cent raise, we want to make it very clear that we feel most medical practitioners deserve every penny they get—but there are some specialties within the medical profession that we are concerned about.

For instance, Mr. Speaker, looking at the latest statistics, published last week or so by the Ministry of Health, we see that 69 out of 6,255 doctors in general practice made $100,000 and over. That is a relatively low number, although I suppose one should be concerned about how it was possible for 69 general practitioners to see enough patients to make over $100,000 a year. Still Mr. Speaker, we feel that proposition is relatively modest when, for instance, we compare it with the number of doctors specializing in ear, nose and throat who made over $100,000—35 out of 175. In diagnostic radiology, 159 out of 376 are listed in the category of $100,000 and over; in ophthalmology, there are 42 out of 291, and in pathology there are 56 out of 118.

We have suggested to the minister that many specialists should be on salary—for instance, those working out of hospitals, especially in pathology and diagnostic radiology. In a way, the $100,000 they are making goes to pay medical technicians and support services, but the fact remains that there are certain specialists who earn incomes that are out of proportion to the incomes of some of the doctors giving basic medical services in this province. We are concerned about that fact.

Looking over this list, we find that there are even four chiropractors who make over $100,000 a year. They are only four out of 590, Mr. Speaker, but you can imagine the amount of money they are making because the $100,000 is not their total income, as you know, since most chiropractors charge over and above the basic $5 per visit that is granted by OHIP. For instance, there are 15 of them making between $70,000 and $80,000 per year; if you add 30, 40 or 50 per cent for the money they make in addition to the OHIP payments, then they have a pretty fair income.

I have raised in the House before my concern about the fact that doctors who have seven, eight or 10 years' experience are making less per visit than the chiropractors.

If doctors or even chiropractors are making the sort of incomes I have described, Mr. Speaker, and when you consider the amount of money they are making per visit, can you imagine the fantastic amount of people they are seeing per day? If you work it out on the basis of a 200-day year and you consider the number of hours per day, some of these people probably are seeing 40 and 50 patients per day. One has to be concerned about that, Mr. Speaker, because if these medical people are seeing that many patients per day, cannot other specialties—what we call nurse practioners, for instance—fulfill the same service as these individuals?

What we have suggested, and what has been suggested in the Mustard report, is that the collectivity of health professionals working together in health centres certainly is a solution. Mr. Speaker, do you recall reading a story in the Toronto Star on Jan. 25, 1975, headed, "Super Nurses Bring Care to Medically Deprived"? It talks about the Ste. Anne clinic in the riding of Ottawa East—a clinic which in fact is operated at times in spite of the ministry because we know the attitude of the former Minister of Health to health clinics. As it points out:

> Four years ago, 10,000 residents of crumbling Lower Town in the northeast section of Ottawa were forgotten people in terms of medical care. There was no family doctor practising in the area. Many residents would ignore symptoms of sickness as long as possible, and only when their discomfort became more than they could bear would they seek the help of the emergency department at the nearest hospital.
>
> Today, however, medical care is more readily available in Lower Town than in many of the more affluent neighbourhoods.

And the solution, Mr. Speaker, was to have two girls by the name of Faustina Fournier and Gail Pine, who are nurse practitioners and, in fact, do work which very much resembles a doctor's. But, as is clearly stated in the article:

> These nurses are far more accessible. They have more flexibility than the doctors. They are able to set the whole thing up for the doctors who are working within the clinic.

And so, Mr. Speaker, we are encouraging the Ministry of Health to look at this type of centre, and centres that exist in other ridings —for instance, in the riding of my colleague, the hon. member for St. George—where you should have this type of approach—which is suggested, after all, in Mustard. This is a way of saving money.

We're being accused of being negative, but we've been talking about this for the last two years. Why should this approach not be accepted by the Ministry of Health?

What about in the area of preventive medicine? We talk about, for example, seatbelt legislation, or reducing the speed limit in this province, programmes to encourage people to keep fit. We have programmes about the use of alcohol, spending some of the income from the taxation of alcohol for positive programmes.

What makes us extremely concerned is to see articles like, for instance, that of Nov. 23, 1974, with a large picture of the Minister of Health buckling up in his motor vehicle, clearly giving the impression that—

Mr. R. F. Nixon: Not that yellow symbol he drives?

Mr. Roy: Yes. But there he is buckling up, and it is clearly stated in this article:

> Frank Miller has already experienced his government's susceptibility to the fear of losing votes.

And, of course, that is obvious.

Mr. R. F. Nixon: Ah, Muskoka is slipping away.

Mr. Roy: It goes on to say:

> He estimates that it costs nearly $1 million in Ontario every day in hospital costs alone to care for the victims of automobile accidents.

Did he really say $1 million?

Hon. F. S. Miller (Minister of Health): I said $1.280 million, to be exact.

Mr. Roy: Per day?

Mr. R. F. Nixon: What is the significance of that last 0?

Hon. Mr. Miller: The minister is always exact.

Mr. R. F. Nixon: No, it's not a significant figure. Even an engineer knows that.

Mr. Roy: It goes on to say, Mr. Speaker:

> Like legislators in many other countries, he's convinced by the overwhelming evidence that forcing people to wear seatbelts in their cars would dramatically reduce death and injuries on Ontario roads. Seatbelt legislation was promised by the governing Progressive Conservatives last spring, but the idea has been shelved.

Mrs. Campbell: Did he say that?

Mr. Roy: No, he didn't say that. I am just quoting:

> Despite public excuses about the difficulty of enforcing an unpopular law, it's no secret around Queen's Park that the government changed its mind about making motorists buckle up because they were afraid of losing their votes. Yet firm action by a determined government would, as Miller puts it, save more lives and dollars than almost any other sudden change in the medical field.

Now, there is a telling indictment on this government—

Hon. Mr. Davis: The member is now in favour of compulsory seatbelt legislation, is he?

Mr. Roy: —that it has evidence and statistics—

Hon. Mr. Davis: Is he now in favour of compulsory seatbelt legislation?

Mr. Roy: If we were in power, Mr. Speaker, we would not be looking at votes when we were passing this type of legislation.

Interjections by hon. members.

Mr. O. F. Villeneuve (Glengarry): If, if, if.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Answer the question.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: Where does the Premier stand on it? He said a year ago—

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. member for Ottawa East has the floor.

Mr. Roy: What I am saying, Mr. Speaker, is that it's a telling indictment on this government—

Hon. Mr. Miller: But he's not saying what he's going to do.

Mr. Roy: —when the Minister of Health in this province says we can save a million dollars a day; we can save lives; but we are not going to put this legislation because we are going to lose votes.

This is why, Mr. Speaker, this government has lost credibility. For political expediency it is prepared to waste money in the health field and it is prepared to jeopardize lives of individuals. This, in fact, is what they are saying here.

For instance, speed limits. What are they doing about speed limits? Again, we have evidence from the US—

Hon. Mr. Miller: But he is not saying what they are going to do.

Mr. Villeneuve: What is his problem?

Mr. Roy: We have evidence in the US which clearly indicates that reducing the speed limit from 70 to 55 miles per hour cuts down the rate of accidents something like 25 per cent. Again, if you reduce accidents you cut health costs at the other end.

What pressure is there on the Minister of Transportation and Communications to bring in this legislation? Not only would it save money in the health field, but it would help the Minister of Energy (Mr. Timbrell). At least he would have an energy conservation programme. He could copy the federal government.

And so, Mr. Speaker, we are extremely concerned when we see that the government is not prepared to accept these options because there are votes that it might lose at the other end. They should be more aggressive and offer a positive approach; because I really don't think there are many more votes that they can lose in this province. I don't really see what their concern is about this.

Hon. Mr. Winkler: We are not worried about his, anyway.

Mr. J. R. Smith (Hamilton Mountain): Don't be too sure.

Mr. Roy: Mr. Speaker, we had pious comments from the ministers of health at their last meeting where they stated clearly that they had agreed with the federal government that seatbelt legislation would be looked at and that this was an area where money could be saved in the health field. The only reason the legislation is not brought in is because the Minister of Health wants to save a few votes.

Hon. Mr. Miller: Does the member wear his?

Mr. R. F. Nixon: Always.

Mr. Roy: Always.

Mr. Eaton: What is the member's position on seatbelt legislation?

Mr. Roy: Mr. Speaker, in closing—

Mrs. Campbell: We need them in here.

Mr. Villeneuve: What is his position?

Hon. A. K. Meen (Minister of Revenue): What would the member for Ottawa East do?

Mr. Speaker: Order, please. The hon. member for Ottawa East has the floor.

Mr. Roy: In closing, we want to make a few comments, Mr. Speaker, about some of the matters mentioned in the motion presented on Tuesday, April 16, 1974. We want to look at some projections made for this province. According to the economists, they project that Ontario's rate of economic growth will fall below the national average this year. It has gone from something like 7.2 in 1973, to about 3.8 in 1974, to a projected 2.5 in 1975. This projection, Mr. Speaker, is apparently by the president of Canadian Economic Services Ltd.

Government spending is an important source of momentum for 1975. But the former Treasurer said to the association of counties and regions on Oct. 21, 1974: "Ontario's lavish spending in recent years means that we have borrowed to the limit of prudence." In other words, now that government spending is needed to stimulate the economy, we must either jeopardize our credit position—and that is going to be hard to take—

Mr. Eaton: Triple-A rating.

Mr. Roy: —or provide less assistance than required. I would suspect that the deficit next year, Mr. Speaker, will be something to

behold. Last year they were talking about a deficit in the area of $800 million, and they did not even consider it a deficit. We are anxious to see what they have in mind for the following budget year.

Mr. R. D. Kennedy (Peel South): What report is that from?

Mr. Roy: In the area of exports, Mr. Speaker, growth this year is expected to be something like three per cent for Ontario, well below the national average. In the first eight months of 1974, Ontario's exports were up only eight per cent, compared to 26 per cent for all other Canadian exports. Ontario's share of the Canadian export market dropped from 44 per cent in 1973 to 38 per cent in 1974.

Mr. Kennedy: What report is that from?

Mr. Roy: And if ever there was a telling indictment about a discrepancy between what is said is going to be done, and what in fact is going to be done, it is in the area of housing.

Mr. Kennedy: What report is that?

Hon. Mr. Winkler: How about the whole of Canada? Why don't you quote the whole thing?

Mr. Kennedy: What report is the member reading from?

Mr. Roy: If ever there was an area, Mr. Speaker, where the government had a bagful of unkept promises, it's in the area of housing.

Mr. J. R. Smith: He never answers a question.

Mr. Roy: It is in the area of housing that we've had a succession of ministers since 1973. We've had the member for Lincoln (Mr. Welch), we've had the member for Carleton (Mr. Handleman) and now we have the member for Grenville-Dundas (Mr. Irvine).

Mr. Eaton: Read the editorials.

Mr. Roy: And, Mr. Speaker, looking at all the projections—100,000 homes this year—what have we got? Something around 85,000—about 15 per cent below the projection. And yet there were comments. There were headlines. You recall the headlines about all the new programmes—NIP, RAP, HOME, OHAP.

Mr. L. Maeck (Parry Sound): That's not bad. That is a fair average.

Hon. Mr. Handleman: Read tomorrow's headlines. Danson is confident that the housing market is in an uptrend.

Mr. Roy: Can the minister blame them for saying his housing was nothing but headlines? How many unkept promises—

Hon. Mr. Handleman: CMHC reasserts a target of 210,000 new starts.

Interjections by hon. members.

Mr. Roy: The fact remains, Mr. Speaker, I hear the comments of the present Minister of Consumer and Commercial Relations, and I see where he's quoted here saying, "Adequate housing at an affordable price is a basic right of all residents in Ontario." What a laugh that is.

Mr. Maeck: Well spoken; that's exactly right.

Mr. Roy: You should go out there and ask the people whether they can buy houses in this province.

Mr. Havrot: Whose fault is that?

Mr. Roy: And because they can't buy houses in this province, look at their rents. What have you done about rents in this province?

Mr. Havrot: What are you going to do about it?

Mr. Roy: So, Mr. Speaker, on every count this government has failed.

Mr. Havrot: Tell us; give us an answer.

Mr. Roy: If I may say, Mr. Speaker, the motion that was presented by my colleagues on April 16 has more validity today than ever—

Mr. Eaton: You're scared to say anything on your own.

Mr. Havrot: You do nothing but bellyache.

Mr. Roy: —and if it's not obvious to those people here in the House that they've lost the confidence of the people of Ontario, they should look outside the House—

Mr. Maeck: The member sounds like a record.

Mr. Roy: —they should look at the by-elections and they should look at the polls,

and go to the people and see if they still have their confidence.

Hon. Mr. Winkler: Yes, we will.

Mr. Breithaupt: The last hurrah.

Mr. Speaker: The hon. Premier.

Mr. Maeck: Tell them the facts of life, Mr. Premier.

Hon. W. G. Davis (Premier): Mr. Speaker, after that very enthusiastic reception I think I should conclude my remarks because I know the members opposite, by the time I'm finished, will end up supporting the original motion.

Mr. R. F. Nixon: It won't get any better.

Hon. Mr. Davis: Although when I listened to the member for Ottawa East, I have to confess I was going to start my remarks by saying that I thought they would end up supporting the motion initially—

Mr. R. F. Nixon: We are not going to end up supporting the motion.

Hon. Mr. Grossman: Just going to end up.

Hon. Mr. Davis: After listening to the member for Ottawa East I decided that there would be something totally wrong if he did. I have to say, Mr. Speaker, that I listened with both amusement and sorrow to the contribution that he has just made, and I will amplify that very respectfully.

Mr. Roy: We're anxious to hear the Premier's.

Hon. Mr. Davis: Mr. Speaker, I just want to go back a little bit in history. This day, Feb. 13, is a very important day. We introduced a bill—

Mr. Roy: The Premier was forced to introduce the bill.

Han. Mr. Davis: —and I think it is really a milestone in the political life in this province.

Mr. R. F. Nixon: No more Fidinams.

Mrs. Campbell: Oh, don't be too sure.

Hon. Mr. Davis: I would only say to the member for St. George, as a member of the Liberal Party in this province and this country, it took this government and its determination to have disclosure; to have anything done by the member's federal friends in Ottawa was futile and she knows it.

Mr. Roy: This government was forced into it.

Mrs. Campbell: It was embarrassed into it.

Hon. Mr. Davis: Mr. Speaker, I'm being just a bit nostalgic for a moment or two. It was about four years ago at 2:30 on Feb. 13, 1971, that I was given the very onerous task, but I think one of the very highlights, of my political life—

Mr. R. F. Nixon: I remember the morning very well.

Hon. Mr. Davis: —when I was given the honour to lead the Conservative Party.

Hon. Mr. Winkler: Good for the Premier, and it's my birthday, too.

Hon. Mr. Davis: And while we are talking about birthdays, Mr. Speaker, I would like to extend to the Chairman of the Management Board many happy returns of the day, because this is his birthday as well.

You know, Mr. Speaker, I've been here as a member of the House for a period of time. I have been in this House under the late Mr. Frost, my predecessor Mr. Robarts, and now it is my own responsibility. I have travelled rather extensively around the province, and I have seen a great deal happen in the past number of years, including the last 3½. Mr. Speaker, while I listen to the constructive advice coming from the benches opposite—and I must confess that on occasion there is some constructive advice—

Mr. R. F. Nixon: He is getting mellow.

Hon. Mr. Davis: —when I read as I do some of the observations, when I look at those people who are given the responsibility they have in this House, the members of this government, the private members who support us in our activities, I have had no sense of diminution in the pride that I experienced four years ago. I would say, and I don't know whether it will be reported other than in Hansard, that while one always experiences certain difficulties as a political leader, one thing that I shall state, and state publicly, is the support that I have had from my colleagues both in cabinet and caucus, as we endeavour to administer the rather complicated affairs of the Province of Ontario.

Interjections by hon. members.

Mr. P. D. Lawlor (Lakeshore): I hope so.

Hon. Mr. Davis: And I tell you something else, Mr. Speaker, we have some problems in an economic sense—I know it and I'm going to refer to it; we have some. But I also tell you this, that I look at it relatively objectively.

Mr. Deans: Optimistically.

Hon. Mr. Davis: I see what we have achieved here in this province. I see what we have available to our young people in terms of the school system—

Mr. Lawlor: We've seen what they haven't achieved.

Hon. Mr. Davis: —and, heavens above, I will refer to their questionnaire. This is the new Liberal approach, policy by questionnaire. I'll get around to that a little later.

Interjection by an hon. member.

Mr. R. F. Nixon: We're interested in his relative objectivity.

Hon. Mr. Davis: I see what is available; I see what we have achieved. I see what we have achieved in terms of medical service and I listen to the member for Ottawa East and his enlightened contribution on hospital or health costs, and they were tremendous. I look at what we have done and have available for the senior citizens of Ontario.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Davis: The job opportunities that have been created in the past year—152,000 new jobs created in this province in 1974.

I listen to the Leader of the Opposition talking about the Liberal Party being a party for the Seventies. I can only say this to you, Mr. Speaker; if the Liberal Party, with its present posture—its lack of policy, its total contradiction—is the party of the Seventies, then I say heaven help the people of the Province of Ontario if that were ever to take place.

Interjections by hon. members.

Mr. R. F. Nixon: Get ready for us.

Hon. Mr. Davis: Mr. Speaker—

Mr. R. F. Nixon: He is whistling in the dark.

Mr. R. F. Ruston (Essex-Kent): He is on his way out.

Hon. Mr. Davis: —the former Treasurer is not with us tonight, and I would like to pay tribute to him because he did a tremendous task in his period of responsibility in that very onerous portfolio.

I'm looking forward to the contributions to be made by the new Treasurer; and we are all looking forward to his budget whenever that day may come.

Mr. Speaker, I go back to the policies announced in the budget, policies that recognized with responsibility and with integrity—and there are all kinds of integrity I would say to the member for Brant—

Mr. V. M. Singer (Downsview): Why does that bother the Premier?

Hon. Mr. Davis: There are all kinds of integrity, and those across the way have no monopoly on it when it comes to matters of intellectual integrity. I say with respect they are sadly lacking, and they are.

Interjections by hon. members.

Mr. D. M. Deacon (York Centre): The member for Peel North looks a little upset.

Hon. Mr. Davis: We went through these programmes. We have introduced the GAINS programme for our senior citizens—those people opposite don't support it with enthusiasm.

Interjections by hon. members.

Mrs. Campbell: Because we started it.

Mr. Ruston: It is our programme, the government stole it, the Premier knows that.

Mr. Speaker: Order, please.

Hon. Mr. Davis: They have to be kidding.

Interjections by hon. members.

Mr. Roy: Sure, let him tell us about energy tax.

Hon. Mr. Davis: Watch your blood pressure.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, we moved through with free prescription drugs, tax credits, retail tax exemptions, but I want to talk about land speculation tax for a second.

Interjections by hon. members.

Hon. Mr. Davis: Yes, the member for Downsview in his profession, and the member for Sarnia in his—and I'm not sure about the member for Ottawa East, because he used

to do a lot of prosecuting; he tells me he doesn't do any now—tell me that wasn't patronage. Who are they kidding?

Mr. Roy: That's right.

Interjections by hon. members.

Mr. Roy: Mr. Speaker, on a point of—

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Roy: On a point of privilege—

An hon. member: Sit down. The member made his speech.

Mr. Roy: It was not patronage. It was competence.

Interjections by hon. members.

Mr. Roy: I thought that was obvious.

Hon. Mr. Davis: Mr. Speaker, the member for Ottawa East has now added the ridiculous to the discussion here tonight.

Mr. Roy: Mr. Speaker—

An hon. member: Why doesn't he sit down?

Interjections by hon. members.

Mr. Singer: The member is a former assistant Crown attorney.

Mr. Roy: Yes, I worked for this government.

Hon. Mr. Davis: If the member for Downsview wants to get into a litany of what government appoints whom, I would only say to him and to the member for Ottawa East and the leader of the Liberal Party of the Province of Ontario, when it comes to patronage we are novices compared to the Liberal Party of Canada. We are absolute novices.

Mr. Roy: That's not true.

Hon. Mr. Davis: We just don't know what it's all about compared to their federal friends, believe me. We just don't know.

Mr. Singer: Name any.

Hon. Mr. Davis: We just don't know.

Mr. Singer: Come on, name them. Name one.

Hon. Mr. Davis: Listen, I don't even have to go through a list of boards and commissions. Give me the list of solicitors for Central Mortgage and Housing Corp. How many token Tories are on it? How many token Tories are on it?

Hon. W. Newman: They can't answer that one.

Hon. Mr. Davis: Mr. Speaker, I would even guess—

Mr. Singer: Name one. Name one. The Premier is making accusations. Name one?

Mr. Lawlor: Who is he—the pot or the kettle?

Mr. Speaker: Order, please.

Mr. Singer: Name one.

Hon. Mr. Davis: I am not saying the member for Downsview is on the list for Central Mortgage and Housing at all.

Mr. R. F. Nixon: Oh, that's what the Premier is not saying?

Hon. Mr. Davis: I would doubt—

Mr. Singer: Name one.

Hon. Mr. Davis: —that the member for Downsview is on that list. I would doubt that he is on the list.

Mr. Deans: He wouldn't even make that one.

An hon. member: It's okay, we'll appoint him a judge.

Mr. Singer: Name one. The Premier is making accusations. Name one.

Hon. Mr. Davis: Oh no, I didn't say that.

Interjections by hon. members.

Mr. Singer: Name one of us who is on that list. Come on.

Hon. Mr. Davis: Mr. Speaker, I would say to the member for Downsview that what I really wanted to know is how many token Tories were on the CMHC list. That's really what I wanted to know.

Mr. Singer: Oh!

Hon. Mr. Davis: That's what I wanted to know.

Mr. Singer: Many more Tories than there are Liberals on any provincial government list.

Hon. Mr. Davis: Oh, I'm sure there are some.

Mr. Deans: If they are worse than you, does that make you right?

Hon. Mr. Davis: I'm sure there are.

Mr. Singer: Name one of us who is on it. Is the Premier?

Hon. Mr. Davis: I know I'm not.

Interjection by an hon. member.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, I hope the member for Downsview is listening carefully—I am not sure that he was—I didn't say that the members opposite were on the list.

Mr. Singer: Oh!

Hon. Mr. Davis: I didn't say the members opposite were on the list. No, no.

Mr. Singer: Thank you.

Hon. Mr. Davis: I would never make that suggestion.

Hon. Mr. Grossman: Because they are not competent enough.

Interjections by hon. members.

Hon. Mr. Davis: So, Mr. Speaker, we get back to the question of the economy. The part that was also contained in the budget statement, the one that has been difficult for this government—and I acknowledge it—is the recognition that we have some obligation to operate with constraint. It's great to have people across the House say to us, as they do—particularly in the Liberal opposition—that we should cut expenditures at the same time as they promise to lift ceilings; to suggest to us that we should be spending less at the same time—

Mr. Roy: Cut waste.

Hon. Mr. Davis: —as we are to expand our programmes. They are not diametrically opposed; they are just totally irrelevant. It's just plain stupidity—

Mr. Roy: We cut waste.

Hon. Mr. Davis: —and that's the only way that I can describe it.

Mr. Roy: Tell us about superministers.

Hon. Mr. Davis: I would say that the budget presented by the Treasurer of this province was probably the most responsible budget presented in this country in the last fiscal year.

Interjections by hon. members.

Hon. Mr. Davis: I listen to the present Minister of Finance—and there is nothing personal in it; I think he is a man of ability—and I hear him make speeches about restraint and constraints. I hear him warning the people of Canada about the economic situation we face. But I say to him—I say it very frankly, and I say it to him through his close friends and colleagues here in the official opposition in Ontario—for heaven's sake stop talking about it and do something about it, because it is important for this country—

Interjections by hon. members.

Hon. Mr. Davis: I heard the member for Ottawa East talking about the measures his leader was enunciating to solve the economic problems. I wish he would enumerate them for me. Maybe they are there somewhere in the Liberal questionnaire. Maybe out of the policy questionnaire we will get the Liberal Party's economic position.

Interjections by hon. members.

Mr. Roy: Doesn't the Premier listen to my leader's policy?

Hon. Mr. Davis: I can only say that it has got to be a lot more credible than what those people have been saying for the past six or seven months—

Mr. Breithaupt: We promise to do better.

Hon. Mr. Winkler: They promise? Why, for goodness' sake!

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I heard the Leader of the Opposition quoted as saying, "We have got to have more quality in education with less expenditure." Reconcile that with what he has been saying to the Ontario Teachers' Federation when he says to them that his party is going to lift ceilings if elected. Reconcile that with a decrease in expenditure. With respect, Mr. Speaker, I say it is totally impossible, and he knows it.

Hon. Mr. Winkler: It's irresponsible.

Hon. Mr. Grossman: He must think the public is stupid or something.

Interjections by hon. members.

Mr. Bullbrook: What happened to the NDP?

Hon. Mr. Davis: Oh, I'll get around to them.

Interjections by hon. members.

Mr. Speaker: Order, please.

Interjections by hon. members.

Hon. Mr. Davis: Listen, my anniversary isn't over for another 24 minutes. I have got 24 minutes yet—no, we'll be out of here—

Interjections by hon. members.

Hon. Mr. Davis: Well, I will say it is not the member for Downsview. I have never regarded him in that capacity.

Interjections by hon. members.

Mr. Speaker: Order, please. Let's get on with the debate.

Mr. Deans: This is like a family squabble between a couple of spoiled brats.

Hon. Mr. Winkler: Oh, he must be kidding. His party voted with them all last night. Don't give us that stuff.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, do you know who we miss here during these discussions? That's the former member for Sudbury —and I do miss him; I really do.

Mr. Singer: Oh, we'll bring him back.

Hon. Mr. Davis: I miss him because with the exception of the member for Sarnia—

Mr. R. F. Nixon: We are working on him too.

Interjections by hon. members.

Hon. Mr. Davis: —and I don't say it because he may not run again—you know, there is really not the same enthusiasm, the same, shall we say, approach to some of the debates in this House. I can remember that the member for Sudbury would go right up and down these Treasury benches; heavens above, we were all ready to retire immediately after his speeches. We always felt sort of down-in-the-mouth; we knew that none of us could do the job. But, of course, we'd see him out in the hall and he would level with us and tell us what great people we were. We miss the member for Sudbury.

Hon. Mr. Winkler: There used to be an honest man over there.

Mr. Singer: I had a letter from him. He is coming back.

Hon. Mr. Davis: I was tempted tonight, because the member for York-Forest Hill, (Mr. Givens), who is a man of capacity—he really is; I say that quite sincerely—

Interjections by hon. members.

Hon. Mr. Davis: I don't think he knows a darn thing about transportation, but he is a man of capacity.

Interjections by hon. members.

Hon. Mr. Davis: You know, I think he was making a keynote address last weekend, or something of that nature—

Mr. Roy: No, it was just his budget contribution.

Mr. R. F. Nixon: It was a speech.

Mr. Roy: It was a helluva good speech.

Interjections by hon. members.

Hon. Mr. Davis: Well, whatever it was, he was making some references to a potential Liberal cabinet. You know, if I were unkind and if the hour weren't late—

Some hon. members: Oh, oh.

Hon. Mr. Davis: —and if I really thought that the members opposite would be patient—

Some hon. members: Go ahead! Say anything.

Hon. Mr. Davis: The temptation is great, Mr. Speaker, to go down the front row of the official opposition of this province, into the second row and the third row—

Interjections by hon. members.

Mr. Singer: Come on, do it.

Hon. Mr. Davis: —but, you know, I have done it mentally and I haven't found anything there.

Interjections by hon. members.

Hon. Mr. Davis: What can I say?

Mr. G. Nixon: They haven't got it.

Hon. Mr. Davis: What can I say?

Mr. Roy: Did the Premier get his eyes tested in the machine out there?

Hon. Mr. Davis: Oh, yes, Mr. Speaker. With all my shortcomings, still I can see.

Mr. Roy: You'd never know it.

Mr. Bullbrook: But he can't hear the people.

Hon. Mr. Davis: Listen, I have got some great quotes from the member for York Centre. I keep some of these materials—

Mr. P. G. Givens (York-Forest Hill): The Premier must have been at Windsor.

Mr. Breithaupt: Was he the lady in the fur wrap?

Hon. Mr. Winkler: The member got his today in the question period. Boy, he got it good.

Hon. Mr. Davis: Listen, I read what the Liberals say. I read what their president said. You know, Mr. Speaker, I want to keep it a little bit light here tonight, but I really wonder. I say this to the member for Brant: What sewer did the president of the Liberal Party of this province emerge from with some of the observations he made last week? They were totally uncalled for; totally uncalled for. Did the members hear them? Did they hear them? They were totally uncalled for. If that is the kind of politics those people want—

Interjections by hon. members.

Hon. Mr. Davis: If that is the kind of politics they want, I am offended by it. I don't like it.

Mr. Singer: That's beneath the Premier.

Hon. Mr. Davis: I don't like it. I don't like it.

Interjections by hon. members.

Hon. Mr. Davis: And what was said last weekend by people at the Liberal convention. Listen, Mr. Speaker, I am prepared to battle in this House and in the province on the terms of policy incompetence. I have no quarrel with this. But I say, Mr. Speaker, that some of the observations being made and that have been made go far beyond that. Some of them have been made by the members in the opposition in this House, and I say that that is improper.

Mr. Singer: Remember Leslie Frost? He said he was wrong and he apologized.

Hon. Mr. Davis: I want to get around to the policy of the Liberal Party, Mr. Speaker—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Bullbrook: Tell the Treasurer to be quiet.

Interjections by hon. members.

Hon. W. Newman: Who started it?

Hon. Mr. Davis: Those people ought to stop that sort of stuff. Now, Mr. Speaker, I am going to quote Mr. Mosher from the Globe and Mail, which is one of my favourite morning newspapers. Is Peter still here?

Interjections by hon. members.

Hon. Mr. Davis: Mr. Mosher writes: "The election platform will be decided at a policy convention in Windsor in February." And then Mr. Blake is quoted as saying the following: "I am going to avoid the mistake of announcing too many policies for the Tories to shoot down and put costs on."

That is the Liberal Party of Ontario's campaign manager. And then, according to Mr. Mosher, and I hope I am quoting Mr. Mosher accurately, Mr. Blake is alleged to have said it "with a chuckle." I think I can be excused, Mr. Speaker, if I repeat that with a chuckle. This is the same gentleman who has said in the Oakville paper and elsewhere, "No policy for the Liberal Party; no issues; the total campaign is devoted to destroying the member for Peel North"—or words to that effect.

Mr. Eaton: What did they say about that in the London Free Press?

Hon. Mr. Grossman: Let them keep trying. They can't make it.

Hon. Mr. Winkler: Those fellows have a death wish.

Hon. Mr. Davis: Mr. Speaker, the member for Sarnia was talking about my education policy. I am delighted that he gives me such great credit for my education policy. I would only say this to him: I don't purport to be an expert, and never have, in the field of education.

Mr. Bullbrook: And the people know that.

Hon. Mr. Davis: That's right. That's right and I tell you, Mr. Speaker, the member for Sarnia should know it better than anyone else. He should know it better than anyone else, with all his expertise.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Let me say this, there are always problems in an educational system.

Mr. Bullbrook: You bet.

Hon. Mr. Davis: That's right. At this moment I would say one of the difficulties facing education is permissiveness, lack of self-discipline, and perhaps discipline. But I would say to the member for Sarnia: If that is true of the educational system, it is also true of the adult community. The school system gets its example from the adult society as much as anything else. And the member very well knows it.

Mr. Bullbrook: And the Premier led the system. He led it. He was the one responsible. He led it.

Hon. Mr. Davis: Mr. Speaker, the member for Sarnia is saying that I led the educational system. I must say that I am very flattered. I like to think I was very involved. I like to think I made a contribution. And I will say something else. I know the NDP will feel that I am waxing too eloquent, but with all the problems in the educational system of this province at this moment—

Mr. Deans: John Robarts wouldn't have lowered himself to this.

Hon. Mr. Davis: I would say to the member for Wentworth that if Mr. Robarts were here he would probably be doing a better job of just what I am doing.

I would say to the member for Sarnia that with the difficulties as they exist in the educational system, and I acknowledge them, I would challenge him to find on any comparable basis of equal numbers a better system of public education available anywhere in this country. I don't think he can do it.

Interjections by hon. members.

Hon. Mr. Davis: I can only say to the hon. member for Ottawa East not only were they tired of him at the end, but they were tired at the beginning. I'm going to tell him something else. We weren't tired of him on this side of the House. We never tire.

Mr. Speaker, I want to talk just very briefly about the one aspect of the economy that I haven't even consulted the Treasurer about. I say this to him, knowing he can correct my observations anytime tomorrow, that while the main concern in the minds of many people that is emerging is the question of unemployment, and we recognize it, I think, Mr. Speaker, we would be in a very difficult position if we didn't recognize at the same time, as governments at all levels will endeavour to come to grips with the question of unemployment, that inflation is not only still with us, but if there are not very real constraints both in terms of prices and wages over the next two years inflation in 1976 or 1977 could be far more significant than we're experiencing at the present time.

Mr. Speaker, you can see the situations developing in the United Kingdom, in western Europe and to a certain extent in the United States. We happen in Canada to be still, in economic terms, one of the most fortunate jurisdictions in the western world. But if we do not as a society, and I'm not saying this in any partisan sense, exercise far greater restraint in terms of our own appetites in a material sense and in terms of our own costs and in terms of our own wages, all the efforts that are made to bring down unemployment could come back to haunt us two or three years down the road, if we're not very careful in the process. I think it's a responsibility of government, and it will be of this government as we approach the next budget, to recognize this very basic consideration.

Mr. Speaker, I think it is true to state, as one traces the history of any jurisdiction, that the question of inflation has traditionally and historically been in the long run of greater economic significance and detriment than some of the other economic problems that these jurisdictions have experienced. If anyone thinks that inflation is still not the number one concern in a long-term and short-term sense, then I would say, Mr. Speaker, he is being very foolish indeed. While we will within the extent available to this province make every effort to relieve the unemployment situation as it exists, and as it may become worse because of the situation in the United States, we will not forget the other basic responsibility, that is, as it relates to inflation.

Mr. Speaker, I also want to say this, when I'm now moving away from the partisan side of these issues. One ingredient that I think is also very basic for all of us—certainly as far as this House is concerned and certainly as far as I and my colleagues are concerned—even with the difficulties, is that it is the responsibility of government to maintain the confidence of the people in their capacity to deal with the situations. There is a certain amount of fear, and there is a certain amount of concern that is evident, I think, in the consuming public and in the investing public today. As a government we have to give greater stability and greater confidence, because only in this way can we see the economy continue to move ahead.

I have encroached on what I know the

Treasurer may be thinking and saying some few weeks down the road, but this is the basic issue. The basic problems facing this province and this country are the questions of unemployment, and the still-present problem of inflation both today and down the road. The budget that was presented by the former Treasurer took both of these matters into account. It was totally responsible, though not necessarily easy politically, but it is one of the things that I think is important to government at this time, and that is that we approach these problems with complete honesty, with complete integrity, in the sense that we have got to level with the people and tell them what the facts are.

And the facts are simply these: We have got problems in the economy; we have problems with unemployment; we have significant problems with inflation. They are not going to be cured by rhetoric; they are not going to be cured solely by government; there has to be a recognition by the people generally.

Mr. Lawlor: Nor by misrepresentation of the government's debt position either.

Interjections by hon. members.

Hon. Mr. Davis: I would say to the member for Lakeshore—

An hon. member: Or by questionnaires.

Mr. G. W. Walker (London North): Or hot air.

Hon. Mr. Davis: Or by questionnaires. They have got to be realized and they have got to be effected by the people of this province, recognizing that we are—

Mr. Roy: He is just quoting Turner.

Hon. Mr. Davis: Listen—that we are, Mr. Speaker, living beyond our means.

Mr. Bullbrook: This government's drainage committee spent almost half a million dollars!

Mr. Speaker: Order, please.

Mr. Bullbrook: The member for Lambton (Mr. Henderson) himself spent in one year almost half a million dollars.

Hon. Mr. Davis: I will defend the expenditures of this government without any question. But I say this to the member for Sarnia, if those people opposite don't realize the seriousness and the significance of the situation, not looking for the next three months or six months—

Interjections by hon. members.

Mr. Bullbrook: A half a million!

Hon. Mr. Davis: —then I would say that this disturbs me, because I thought he had a little more to bring to bear than some of his colleagues.

Mr. Bullbrook: If the government had some integrity, half a million dollars wouldn't have been spent.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Bullbrook: Half a million dollars!

Hon. Mr. Davis: So, Mr. Speaker, I say to the members opposite I am not going to urge them to vote in support of the budget. It would be a waste of time; I know they are not going to do it.

Mr. Breithaupt: Oh, try!

Mr. R. F. Nixon: Have a go!

Hon. Mr. Davis: But I say, through you, Mr. Speaker, to the members opposite, the financial position of this province is of the highest; the budget was responsible. We recognize the need for constraint; and we don't talk about it, we do something about it. And in terms of government programmes we believe we are serving the total interests of the public of this province.

So, Mr. Speaker—yes, I will, I urge that they do reconsider and support the original motion.

Interjections by hon. members.

Mr. Speaker: The debate having been concluded, we will now place the various questions.

Hon. Mr. White moved, seconded by Hon. Mr. Davis, that this House approve in general the budgetary policy of the government.

Mr. Breithaupt moved, seconded by Mr. Deacon, that all of the words after "that" be struck out, and the following added thereto:

This House regrets the lack of any government policy to effectively deal with the problems of inflation in areas of provincial concern;

This House regrets the government's failure to provide for an effective review of price increases by using a standing committee of the Legislature for such a purpose;

This House regrets the government's failure to have a satisfactory policy to

reduce housing costs and review rents and to stimulate new housing construction through such measures as the removal of the provincial sales tax on residential building materials, and the servicing of lands in provincial land banks and other areas;

This House regrets the government's failure to control exorbitant increases in the costs of the regional governments implemented by this government; and

This House regrets the government's failure to have any effective programme to equalize the costs of living throughout the province or to plan for the balanced development of northern and eastern Ontario.

Mr. MacDonald moved, seconded by Mr. Lewis, that the amendment be further amended by adding the following words:

And this House further regrets:

1. The government's failure to pass back to consumers more than a tiny fraction of the huge revenue gains in sales tax and income tax, resulting from inflation;

2. The government's failure to protect Ontario families from the serious effects of inflation by increasing the supply of houses, cutting gasoline taxes, and establishing price and rent review boards with power to require rollbacks when justified;

3. The government's failure to recognize the plight of the 60 to 65 age group, many of whom are unable to find work and are forced to live on minimal fixed incomes, but are denied eligibility for GAINS and the free prescription drug programme;

4. The government's failure to increase grants to northern municipalities by an amount which would adequately compensate them for the increased cost of services in northern areas and their lack of financial resources to meet these needs;

5. The government's failure to impose an excess profits tax on corporations which are obtaining windfall profits from world scarcities and the consequent enhanced value of their products;

6. The government's failure to obtain for the people of Ontario full "economic rent" from the exploitation of their natural resources and its exhibition of naivety in assuming that a $125 million return from close to $2 billion production in the mining industry is a fair share for the owners of those resources; and

7. The government's substitution of largely ineffective land taxes for real action in acquiring and servicing development land and bringing down prices of lots.

The House will vote first on Mr. MacDonald's subamendment to the motion.

The House divided on the amendment to the amendment which was negatived on the following vote:

Ayes	Nays
Bounsall	Allan
Braithwaite	Auld
Breithaupt	Bales
Bullbrook	Beckett
Burr	Birch
Campbell	Brunelle
Davison	Davis
Deacon	Downer
Deans	Eaton
Edighoffer	Evans
Ferrier	Ewen
Foulds	Gilbertson
Gaunt	Grossman
Givens	Handleman
Good	Havrot
Haggerty	Henderson
Laughren	Hodgson (Victoria-Haliburton)
Lawlor	Hodgson (York North)
MacDonald	Irvine
Newman (Windsor-Walkerville)	Johnston
Nixon (Brant)	Kennedy
Renwick	Leluk
Roy	MacBeth
Ruston	Maeck
Singer	McIlveen
Stokes	McKeough
Worton	Meen
Young—28.	Miller
	Morningstar
	Newman (Ontario South)
	Nixon (Dovercourt)
	Nuttall
	Parrott
	Root
	Scrivener
	Smith (Simcoe East)
	Smith (Hamilton Mountain)
	Snow
	Villeneuve
	Walker
	Wardle
	Wells
	White
	Winkler
	Yaremko—45.

Clerk of the House: Mr. Speaker, the "ayes" are 28, the "nays" are 45.

Mr. Speaker: I declare the motion lost.

Mr. Breithaupt: Mr. Speaker, I believe we are prepared to accept the same vote on the amendment to the motion.

The House divided on the amendment to the motion, which was negatived by the same vote.

Mr. Speaker: I declare the amendment lost.

Mr. Breithaupt: We will accept a reverse vote on the motion.

The House divided on Hon. Mr. White's motion that this House approve in general the budgetary policy of the government, which was approved by the same vote reversed.

Mr. Speaker: I declare the motion carried

Hon. J. White (Minister without Portfolio): Let's make it unanimous.

Mr. D. C. MacDonald (York South): The minister is a dreamer.

Hon. Mr. Winkler: Mr. Speaker, I believe we will revert to the opening procedure so that the Treasurer may introduce his supply bill.

Mr. Speaker: Agreed?

Agreed.

Mr. Speaker: Introduction of bills.

SUPPLY ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act for granting to Her Majesty Certain Sums of Money for the Public Service for the Fiscal Year ending March 31, 1975.

Motion agreed to; first reading of the bill.

Mr. MacDonald: Just under the wire.

Hon. Mr. Davis: There is five per cent less in there for some of us.

SUPPLY ACT

Hon. Mr. McKeough moves second reading of Bill 203, An Act for granting to Her Majesty Certain Sums of Money for the Public Service for the Fiscal Year ending March 31, 1975.

Motion agreed to; second reading of the bill.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 203, An Act for granting to Her Majesty Certain Sums of Money for the Public Service for the Fiscal Year ending March 31, 1975.

Bill 111, An Act to amend the Mining Tax Act, 1972.

Bill 118, An Act to amend the Condominium Act.

Clerk of the House: Order for third reading of Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Hon. Mr. Winkler: Before I move third reading of this bill I would like to say that I appreciate the co-operation of the people who sat with me on the committee and also their presentation in the House. I think it was a very serious matter, and I would like, if I might, to put on the record a word or two in regard to collective bargaining as was incorporated in a report prepared by the federal government, following a comprehensive review for the collective bargaining legislation in that jurisdiction by Mr. Jacob Finkleman, QC, and he had this to say—

Mr. Deans: On a point of order, sir, if I may. It is unusual and I think out of order for a statement to be made prior to the moving of the third reading. It may well be that the minister would like to debate the bill and add something by way of comment with regard to the content of the bill, but it certainly would be highly improper for him to make a public statement about collective bargaining since, in fact, the bill has already passed the stage of consideration of its principle.

Hon. Mr. Winkler: That's really not quite so, Mr. Speaker.

Mr. Deans: It is, it is a ministerial statement.

Hon. Mr. Winkler: It is not.

Mr. Deans: Yes, it is.

Hon. Mr. Winkler: No, it is not. It's a comment. If the member will just wait and listen and let the Speaker make that ruling.

Mr. Speaker: Order, please. It seemed to me it was more in the matter of an explanation—and certainly we don't want a debate—but there is nothing wrong with the minister moving the third reading and adding any comments that he may wish to make. It would be more in order.

Mr. MacDonald: Move third reading and then he can comment.

Hon. Mr. Winkler: Mr. Speaker, it is an unusual thing and I don't want to be argumentive. We weren't argumentive through all the considerations, and it's unusual that the point is raised. Had you been in the House this afternoon, Mr. Speaker, the Minister without Portfolio, the former Treasurer, was allowed to do this, and no one said a word—not one soul, not a soul. If you listen, Mr. Speaker, I think I will be somewhat complimentary.

Mr. MacDonald: Move third reading and then speak to it.

Mr. J. A. Renwick (Riverdale): Let him move third reading and then speak to it.

Mr. Deans: We are not objecting to him speaking.

Mr. Speaker: I think perhaps if the hon. minister would move third reading.

Hon. Mr. Winkler: Okay. I thought—

Mr. Speaker: I am sorry. Order, please. I believe the hon. minister moves third reading.

Hon. Mr. Winkler moves third reading of Bill 179, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Hon. Mr. Winkler: I thought that this was worthwhile putting on the record in regard—

Mr. Deans: Is it in regard to this bill?

Hon. Mr. Winkler: Yes, it has a very great application, it has a great application, that is correct.

Mr. Deans: Is it in regard to the contents of the bill? Is it specific?

Hon. Mr. Winkler: Yes, it has application, and to all parts of bargaining, that is right. It is not specific and I don't have to be specific.

Now, Mr. Speaker—

Mr. Speaker: Order, please. We have called third reading of the bill.

Order, please. Thank you very much.

Time is getting late and we are wasting time. We don't want to get into a debate on principles of the bill and that sort of business. Is it just an explanatory note in connection with the bill?

Hon. Mr. Winkler: Mr. Speaker, I have a quote to make which is completely relevant to the whole consideration of the bill.

Mr. Deans: He is in a debate.

Hon. Mr. Winkler: I am not in a debate. Okay, if they want a debate, go right ahead.

Mr. Speaker: Just a minute. Order, please.

On third reading a person may make a statement in support of the bill or against it and sum it up, and that's all.

Mr. Deans: But the minister has moved it—

Mr. Speaker: I understand he just wants to explain something to the House. Do we get permission for him to do that?

Mr. Singer: No, no.

Mr. Deans: Not at all.

Mr. Speaker: Well, I am afraid it is out of order, Mr. Minister. Order, please.

Hon. Mr. Winkler: Mr. Speaker, the member for Wentworth just came back from Cuba and he knows what democracy is—and he is employing it.

Mr. MacDonald: The minister lived too long under John Diefenbaker.

Motion agreed to; third reading of the bill.

The Honourable the Lieutenant Governor of Ontario entered the chamber and took her seat upon the throne.

ROYAL ASSENT

Hon. Pauline M. McGibbon (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed certain

bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

The Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 55, An Act to prohibit Unfair Practices in Sales to Consumers.

Bill 111, An Act to amend the Mining Tax Act, 1972.

Bill 118, An Act to amend the Condominium Act.

Bill 133, An Act to establish the Ontario Land Corporation.

Bill 179, An Act to amend The Crown Employees Collective Bargaining Act, 1972.

Bill 182, An Act to amend the Municipal Act.

Bill Pr23, An Act respecting Dominion Cartage Limited and Downtown Storage Company Limited.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

Mr. Speaker: May it please Your Honour: We, Her Majesty's most dutiful and faithful subjects of the legislative assembly of the Province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill intituled, An Act granting to Her Majesty Certain Sums of Money for the Public Service for the Fiscal Year ending March 31, 1975.

Clerk of the House: The Honourable the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant Governor of the province was then pleased to deliver the following gracious speech.

Hon. Mrs. McGibbon: Mr. Speaker and members of the legislative assembly. Before bringing this fourth session of the 29th Parliament of Ontario to an end, it is my pleasure to present a review of some of the achievements of this assembly in the past year.

As hon. members are aware, the major problem in 1974 for Ontario as elsewhere was continuing inflation. Consumer prices last year rose by an average of 10.5 per cent, yet Canada and Ontario experienced lower inflation rates than those evidenced in other industrial countries.

Ontario's unemployment rate averaged approximately 4.1 per cent, slightly above the 1973 level. However, favourable circumstances have prevailed, as a result of which the province was generally able to provide employment for persons entering the steadily increasing labour force, and about 152,000 new jobs were created during the year.

At the same time, to help control the growth rate of provincial expenditures, my government announced its intention of holding the number of positions in the Ontario civil service throughout 1975 to the April 1, 1974, level. This step was taken in the belief that the existing approved complement of 71,705 employees, excluding members of the Ontario Provincial Police, will allow sufficient flexibility within the operations of the government, while ensuring that the level of service to the people of Ontario will not be adversely affected.

Several initiatives announced in the budget last spring were directed towards offsetting the impact of rising costs on Ontario citizens, and especially so for persons on fixed incomes.

As initially announced on July 1, Ontario's Guaranteed Annual Income System for the elderly, disabled and blind, known as GAINS, established a programme of monthly payments to eligible persons to ensure a minimum annual income of $2,600 for single people and $5,200 for couples. A subsequent increase in federal old age security and pension support, in response to higher living costs, was supplemented by the Ontario government, which raised the GAINS minimum income to $2,700 and $5,400, respectively, on Oct. 1.

In a further increase, effective Jan. 1, 1975, the GAINS guarantees moved to $2,766 for single people, and $5,532 per couple. This second increase brings an additional 2,000 people into the programme, and raises the total payments by the province to $84.5 million in the current fiscal year.

A new drug benefit plan was introduced on Sept. 1 extending further the benefits of the province's health system to allow over half a million residents to receive prescribed drugs without charge. All persons who receive the federal guaranteed income supplement or Ontario GAINS or family benefits supports, are automatically eligible under the plan.

Universally applied benefits announced in the 1974 budget include retail sales tax exemption covering a wide range of consumer

products, and amounting to an estimated reduction in potential revenues of $43 million.

Further, enriched Ontario tax credits, including the property tax credits, estimated to cost $70 million, were supplemented by an additional grant of $124 million to municipal governments to keep local property tax increases to a minimum.

Monthly workmen's compensation payments were increased to $260 effective July 1, and earnings ceilings raised to $12,000 per year.

A higher general minimum wage rate of $2.25 an hour came into effect on Oct. 1, with a minimum for construction industry employees of $2.50 per hour. A further increase is scheduled for May 1, 1975.

As part of a resolve to meet the need for housing for the growing population in this province, my government has sought and encouraged greater involvement by the private sector in a broad range of programmes. Announcement last fall of the first agreements with 11 developers for a potential total of 12,400 housing units to 1976 under the Housing Action Programme, is one illustration of the progress being made. Some 30 additional developer agreements are being negotiated. One-third of the 3,000 units scheduled to start in several municipalities by the end of 1974 are within the income range of the provincial Home Ownership Made Easy programme, as are a further 636 units which will be started by the end of March.

By a provision of the budget last spring, the province will make unconditional grants to area municipalities to ensure that local taxes will not be increased to service new developments of this kind.

Further, my government has taken steps to help stem the rapid climb in prices on the housing market which has taken place alongside a somewhat slower rate of increase in the supply of land.

A new tax levied on land speculators has been aimed directly at discouraging speculation activities and a realization of windfall profits by anyone in Ontario while providing specified exemptions with respect to personal residences and recreational property and farm and Crown land.

At the same time, a land transfer tax has been introduced designed to discourage non-residents from purchasing and holding land, but allowing for exemptions in cases where the purchase is considered to be of significant economic benefit to Ontario.

Plans to improve essential services for people in remote areas of Ontario are progressing. An air communication network for northwestern Ontario is scheduled for full service in 1977 with norOntair links between 12 isolated communities and national and regional air services at Dryden, Thunder Bay and Sault Ste. Marie.

My government's authorization to the Ontario Northland Transportation Commission to implement norOntair Northwest follows the success of a comparable demonstration programme in northeastern Ontario over the past three years.

On May 31, 1974, a second subsidiary compact to the 10-year general development agreement with the government of Canada was signed for northwestern Ontario. Hon. members will recall that a first subsidiary agreement was reached in February for several development projects in the Cornwall area. The northwestern Ontario agreement is for seven specific projects, including sewage and road construction and townsite infrastructure assistance, at a cost of $42 million over a three-year period.

Subsequently, my government also announced plans to increase the province's regional priority budget for northwestern Ontario to meet needs beyond those served by regular ministry programmes. Funds have been increased from $2.4 million in 1973-1974 to $9.3 million for 28 projects in the current fiscal year. This assistance, while continuing to place emphasis on building a sound, economic base in various parts of the region, has widened the scope of the programme to include social and cultural initiatives as well as a new project to train native people in policing and probationary services.

The special programme to obtain health practitioners for remote or underserviced areas of the province placed its 200th physician last summer, and 60 dentists have so far been recruited.

In December a new rotation scheme was launched under a one-year agreement with the Ontario College of Family Physicians to serve communities that are unable to attract permanent resident physicians. More than 80 doctors have indicated their willingness to take part in the programme in rotation periods of a minimum of two weeks each. The experience at Armstrong, the first locality to receive this novel service, will provide a base for evaluation and possible expansion of the programme to other remote, northern communities.

A unique new course was offered during

the 1974 summer to train native Indian people as school teachers. Since then, most of the 96 successful candidates have been teaching or otherwise assisting in the education of native students. The project is a result of close co-operation between native peoples' associations, the government of Canada and the Ontario Ministry of Education. The second phase of the training programme will be given next summer.

A plan has been developed to promote the use of Ontario's 5,000 elementary and secondary schools as focal centres of the communities they serve. The province's school boards are being offered administrative and financial support for community school projects. In addition, my government has strongly endorsed full community use of school facilities after regular school hours by groups and agencies working in concert with their local boards of education.

Education ceilings announced for 1975 will allow a 13 per cent increase in school board expenditures, amounting to an additional $350 million over the current year. An added new form of assistance provides a provincial allowance of $80 for an elementary pupil to enrich the programmes offered at this fundamental stage of educational experience. At the post-secondary level, provincial support to colleges and universities will be increased from $659 million in the current year to $768 million for the next academic year, an average increase of 16 per cent. A new advisory council on Franco-Ontario affairs has been established to assist the government in matters affecting French-speaking university and college students, including manpower training and cultural affairs.

Cultural and recreational activities play an important part in sustaining the well-being of all our citizens in the life of the community. In support of this belief, my government recently created a new Ministry of Culture and Recreation, which will give greater recognition to the multicultural nature of our society. It will be the task of the new ministry to ensure the preservation and enhancement of Ontario's cultural heritage and to stimulate creative excellence on the part of the individual as well as for the benefit of the community as a whole.

A new Consumer Reporting Act proclaimed on July 2 protects consumers in credit and personal information reporting, granting them the right to know what is reported and to whom. The law also makes provision for correction of false information. Complementary legislation in the form of a Business Practices Act establishes sanctions against a range of undesirable practices that may occur in consumer sales.

Maintaining a secure and adequate supply of electrical power is of crucial importance to industrial as well as some consumers across Ontario. My government has given approval to several power development projects by Ontario Hydro for 1977 up to 1982. They include construction of a new generating station at Wesleyville, expansion of the Pickering generation station and construction of two additional heavy water plants in the Bruce nuclear power project. Following an extensive and successful public consultation process, the route of a 500-kilowatt transmission line from Nanticoke to Pickering has been determined and the government has given approval for its construction at an estimated cost of $360 million.

Significant advances have been made towards overcoming the problems posed by growing volumes of solid waste and for recovering useful materials presently lost in landfill operations. Last spring my government announced plans to proceed in a joint undertaking with the municipality of Metropolitan Toronto in what is known as the Watts from Waste project. The goal of this experiment, to be carried out at the Lakeview generating station, is to use processed solid waste as a fuel in the production of electrical power.

In the fall my government took the initiative in launching a comprehensive province-wide programme to reclaim and recycle useful resources from solid waste, with the ultimate aim of replacing garbage disposal with a reclamation system serving 90 per cent of the population. Initially, six reclamation and recycling plants are to be built at a cost of $70 million for the Kingston, Sudbury, London, Metropolitan Toronto and Halton-Peel areas.

Growing world-wide concerns about ensuring adequate production and efficient distribution of food make it incumbent on the government to encourage the preservation and use of arable lands for agricultural production. To this end, a new food land development branch has been created in the Ministry of Agriculture and Food. Among its responsibilities, the branch will help develop programmes to maintain and encourage food production in the interim on government-owned lands which are suitable for the purpose, although intended for other uses in the future.

In the spring, extensive damage was caused in Kitchener, Cambridge, Brantford, Paris and neighbouring communities when the Grand River overflowed its banks. The work of the local disaster relief committee in the areas affected was carried out with tremendous will and spirit. Relief made available by the province offered up to $4 in financial assistance for every $1 in locally-raised funds —a more generous measure than in similar previous disasters—as serious losses were experienced by property owners unable to secure flood insurance.

Ontario was host to the 15th annual premiers' conference in September, at which Canada's provincial leaders reaffirmed a commitment to continue interprovincial co-operation in the development of economic policies. The emphasis is on the formulation of effective measures over the shortest term, while maintaining a broad perspective of sound long-term planning. Overall, Ontario's economy experienced a real growth of almost four per cent in 1974. While lower than the near record rate of approximately seven per cent achieved in 1973, this means that the province was nevertheless able to maintain the momentum of economic growth at a very satisfactory level.

At the close of what has been, as evidenced in this review, an active and productive session of this assembly, may I on behalf of the people of Ontario, commend its members on their many accomplishments. And now I declare this session prorogued.

In our Sovereign's name, I thank you.

God bless the Queen and Canada.

Hon. Mr. Winkler: Mr. Speaker and hon. members of the legislative assembly, it is the will and pleasure of the Honourable the Lieutenant Governor that this legislative assembly be prorogued, and this legislative assembly is accordingly prorogued.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House prorogued at 12:50 o'clock, a.m.

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